



भारत का राजपत्र The Gazette of India

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No. 31]

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NEW DELHI, SATURDAY, AUGUST 1, 1992/SRAVANA 10, 1914

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन भी रूप में
रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिवृत्तार्ण
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than
Ministry of Defence)

वित्त मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली, 9 जुलाई, 1992

स्टाम्प

MINISTRY OF FINANCE
(Department of Revenue)

ORDERS

New Delhi, the 9th July, 1992

STAMPS

का. आ. 1995--भारतीय स्टाम्प अधिनियम, 1899 (1899 का
2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों
का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा यूरोटेक्स इण्डस्ट्रीज एण्ड
एक्सपोर्ट्स लि., बम्बई को छप्पन हजार दो सौ पचास रुपये मात्र का
समेकित स्टाम्प शुल्क प्रदा करने की अनुमति प्रदान करती है जो कि
उक्त कम्पनी के द्वारा जारी किए जाने वाले कुल पंचहत्तर लाख रुपये
मात्र के कुल मूल्य के 100-100 रुपये के अंकि मूल्य के 00001 से
75000 त्रिशष्ट संख्या वाले 14 प्रतिशत सरक्षित विमोच्य अंतरिकर्तनीय
ऋणपत्रों पर प्रभावी है

S.O. 1995.--In exercise of the powers conferred by
clause (b) of sub-section (1) of section 9 of the Indian
Stamp Act, 1899 (2 of 1899), the Central Government
hereby permits the Eurotex Industries and Exports Limited,
Bombay to pay consolidated stamp duty of rupees fifty six
thousand two hundred and fifty only, chargeable on account
of the stamp duty on 14 per cent Secured Redeemable Non-
convertible Debentures bearing distinctive numbers 00001 to
75000 of the face value of Rs. 100 each of the aggregate
value of rupees seventy five lakhs only to be issued by the
said company.

[नं. 13/92-स्टाम्प-फा म. 33/56/91-वि क]

आत्मा राम, अधीक्षक सचिव

[No. 13/92-Stamp F. No. 33/56/91-ST]

ATMA RAM, Under Secy.

(3209)

(आर्थिक कार्य विभाग)

नई दिल्ली, 14 जुलाई, 1992

का. धा. 1996 केन्द्रिय सरकार, राजभाषा एवं के शासकीय प्रयोगों के निष्प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में विद्यमान मंत्रालय (आर्थिक कार्य विभाग) के प्रशासनिक नियंत्रण में स्थित सार्वजनिक जीवन बीमा निगम के निम्नलिखित कार्यालयों को, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करने हैं।

1. मंडल कार्यालय, सुरत
2. मंडल कार्यालय, अमरावती
3. मंडल कार्यालय, गोरखपुर
4. मंडल कार्यालय-- 11, 112, बम्बई
5. शाखा कार्यालय-1, अमरावती
6. शाखा कार्यालय-2, अमरावती
7. शाखा कार्यालय, अंचलपुर
8. शाखा कार्यालय, धामण गांव
9. शाखा कार्यालय, बुलढाना
10. शाखा कार्यालय, मलकापुर
11. शाखा कार्यालय, खामगांव
12. शाखा कार्यालय-- 1, अकोला
13. शाखा कार्यालय-- 2, अकोला
14. शाखा कार्यालय, वाशिम
15. शाखा कार्यालय, अंकट
16. शाखा कार्यालय, यवतमल
17. शाखा कार्यालय, वानि
18. शाखा कार्यालय, पुसद
19. शाखा कार्यालय, वनर
20. शाखा कार्यालय, दिगम
21. शाखा कार्यालय-- 1, गोरखपुर
22. शाखा कार्यालय-- 2, गोरखपुर
23. शाखा कार्यालय-- 3, गोरखपुर
24. शाखा कार्यालय, गोरखपुर (कीड-- 403)
25. शाखा कार्यालय-- 1, झांझगढ़
26. शाखा कार्यालय-- 2, झांझगढ़
27. शाखा कार्यालय, बांसी
28. शाखा कार्यालय, आनन्धनगर
29. शाखा कार्यालय, बड्डलगांव
30. शाखा कार्यालय, बमनी
31. शाखा कार्यालय-- 1, देवरिया
32. शाखा कार्यालय-- 2, देवरिया
33. शाखा कार्यालय, खलीलाबाद
34. शाखा कार्यालय, माऊनाथ भंजन
35. शाखा कार्यालय, महाराजगंज
36. शाखा कार्यालय, पडगौना
- शाखा कार्यालय, फुलपुर

38. शाखा कार्यालय, मनेमण
39. शाखा कार्यालय-- 88-अ) मुंबई
40. शाखा कार्यालय, 89- सी, घाटकोपर
41. शाखा कार्यालय-- 88 ई घाटकोपर
42. शाखा कार्यालय-- 88 एफ, शिवडी
43. शाखा कार्यालय-- 88 एफ, शिवडी
44. शाखा कार्यालय-- 91--आर, मलुप
45. शाखा कार्यालय-- 91--टी, आनंद इस्टेट
46. शाखा कार्यालय-- 88 विकोला
47. शाखा कार्यालय 892 कुर्ली
48. शाखा कार्यालय-- 899 मुलुड
49. शाखा कार्यालय-- 897 दादर
50. शाखा कार्यालय-- 903 अम्बेडकर रोड
51. शाखा कार्यालय-- 928, घाटकोपर
52. शाखा कार्यालय-- 937, दादर
53. शाखा कार्यालय-- 938, दादर
54. शाखा कार्यालय-- 939, नेम्बूर

[स 13011/1/92-हि का क]

प्रदीप पुरी, उप सचिव

(Department of Economic Affairs)

New Delhi, the 14th July, 1992

S.O. 1996.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the Life Insurance Corporation of India (under the Administrative Control of Ministry of Finance, Department of Economic Affairs) where of more than 80 percent of staff have acquired working knowledge of Hindi.

1. Divisional Office, Surat
2. Divisional Office, Amravati
3. Divisional Office, Gorakhpur
4. Divisional Office-11, 112, Bombay
5. Branch Office-1, Amravati
6. Branch Office II, Amravati
7. Branch Office, Anchalpur
8. Branch Office, Ghamangaon
9. Branch Office, Buldana
10. Branch Office, Malkapur
11. Branch Office, Khamgaon
12. Branch Office-I, Akola
13. Branch Office, II, Akola
14. Branch Office, Vashim
15. Branch Office Ankot
16. Branch Office, Yavatmal
17. Branch Office, Vani
18. Branch Office, Pusad

- 19 Branch Office, Varud
20. Branch Office, Digras
- 21 Branch Office-1, Gorakhpur
- 22 Branch Office-2, Gorakhpur
- 23 Branch Office-3, Gorakhpur
24. Branch Office, Gorakhpur (Code-403)
- 25 Branch Office-1, Ajamgarh
- 26 Branch Office-2, Ajamgarh
27. Branch Office, Bansi
28. Branch Office, Anandnagar
- 29 Branch Office, Badhalganj
30. Branch Office, Basti
- 31 Branch Office-1, Devaria
32. Branch Office-2, Devaria
33. Branch Office, Khalilabad
- 34 Branch Office, Maunathbhanjan
- 35 Branch Office, Maharajganj
- 36 Branch Office, Padranua
- 37 Branch Office, Phoolpur
38. Branch Office, Slempur
- 39 Branch Office-88A, Mulund
40. Branch Office-88C, Chhatkopar
- 41 Branch Office-88E, Ghatkopar
- 42 Branch Office-88F, Shivri
- 43 Branch Office-88H, Shivri
44. Branch Office-91R, Bhandup
- 45 Branch Office 91-T, Anand Estate
- 46 Branch Office-889 Vikrola
47. Branch Office-892, Kurla
48. Branch Office-894, Mulund
- 49 Branch Office-987 Dadar
- 50 Branch Office-930, Ambedkar Road
- 51 Branch Office-928, Ghatkopar
52. Branch Office-937, Dadar
- 53 Branch Office-938, Dadar
54. Branch Office-939, Chembur.

[No 13011/1 92-HIC]

PRADEEP PURI, Dy. Secy

नई दिल्ली, 14 जुलाई 1991

का प्रा 1997.—कन्द्रीय सरकार राजभावा (सघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में वित्त नञ्चालय (आर्थिक कार्यविभाग) के प्रशासनिक नियन्त्रण में स्थित आर्यतीय साधारण बीमा निगम के निम्न-लिखित कार्यालयों का जिनके 9 प्रतिष्ठान में अधिक वर्तमानस्थान ने हिन्दी का कार्यमाध्यम ज्ञान प्राप्त कर लिया है, अधिष्ठातृ करनी है --

अपनी 41 वल नैपत इधारे क नि

1 सल सल (1-1) सल

2 सल सल (1-1) सल

- 3 सल सल (1-1) सल
- 4 सल सल (1-1) सल
- 5 सल सल (1-1) सल
- 6 सल सल, सल
- 7 सल सल, सल
- 8 सल सल, सल
- 9 सल सल, सल
- 10 सल सल, सल
- 11 सल सल, सल
- 12 सल सल (1-1) सल
- 13 सल सल (1-1) सल
- 14 सल सल (1-1) सल
- 15 सल सल (1-1) सल
- 16 सल सल (1-1) सल
- 17 सल सल (1-1) सल
- 18 सल सल (1-1) सल
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- 27 सल सल (1-1) सल
- 28 सल सल (1-1) सल
- 29 सल सल (1-1) सल
- 30 सल सल (1-1) सल
- 31 सल सल, सल
- 32 सल सल, सल
- 33 सल सल, सल
- 34 सल सल, सल
- 35 सल सल, सल
- 36 सल सल, सल
- 37 सल सल, सल
38. सल सल सल
- 39 सल सल, सल
- 40 सल सल, सल
- 41 सल सल, सल
- 42 सल सल, सल
- 43 सल सल, सल (अधारे)
- 44 सल सल, सल
- 45 सल सल, सल

46. शाखा कार्यालय, कुरुक्षेत्र
47. शाखा कार्यालय, कुरुक्षेत्र
48. शाखा कार्यालय, रामपुरा फल
49. शाखा कार्यालय, खन्ना
50. शाखा कार्यालय, मलीर
51. शाखा कार्यालय, फाजिल्का
52. शाखा कार्यालय—3, चन्डीगढ़
53. शाखा कार्यालय, भीकजी कामा प्लेस
54. शाखा कार्यालय, हौजबास
55. शाखा कार्यालय, जनकपुरी
56. शाखा कार्यालय, बहादुरगढ़ मार्ग
57. शाखा कार्यालय, हरदयाल सिंह रोड़
58. शाखा कार्यालय, नारगयणा, नई दिल्ली
59. शाखा कार्यालय, कर्मपुरा
60. शाखा कार्यालय, घाजादपुर
61. शाखा कार्यालय—8 एम, कनाट प्लेस
62. शाखा कार्यालय, प्रीनपाक एक्सटेंशन
63. शाखा कार्यालय, राजेन्द्रा प्लेस
64. शाखा कार्यालय, बलिया
65. शाखा कार्यालय, नैनीताल
66. शाखा कार्यालय, नजीबाबाद
67. शाखा कार्यालय—2, गोरखपुर
68. शाखा कार्यालय, बालघाट
69. शाखा कार्यालय, हजारीबाग
70. शाखा कार्यालय, गुगला
71. शाखा कार्यालय, मुजफ्फरपुर
72. शाखा कार्यालय, दरभंगा
73. शाखा कार्यालय, छापरा
74. शाखा कार्यालय, आगरा
75. शाखा कार्यालय, सोबान
76. शाखा कार्यालय, मोतिहारी
77. शाखा कार्यालय, बेगुसराय
78. शाखा कार्यालय, बलिया
79. शाखा कार्यालय, मधुबनी
80. मंडल कार्यालय, नागपुर
81. मंडल कार्यालय, भ्रमरावली
82. मंडल कार्यालय, पिम्बरी
83. मंडल कार्यालय—2, पुणे
84. शाखा कार्यालय—1, नागपुर शहर
85. शाखा कार्यालय—3, नागपुर
86. शाखा कार्यालय, गेडिया
87. शाखा कार्यालय, धरमपेट
88. शाखा कार्यालय, सांगली
89. शाखा कार्यालय, इच्छलकरंजी
90. शाखा कार्यालय, भंडारा

न्यू इंडिया एश्योरेम क लि

1. मंडल कार्यालय, करनाल
2. मंडल कार्यालय, मुजफ्फर नगर
3. शाखा कार्यालय, नोयडा

4. शाखा कार्यालय, बुलन्दशहर
5. शाखा कार्यालय, मोंदी नगर
6. शाखा कार्यालय, साहिबाबाद
7. शाखा कार्यालय, गाजियाबाद
8. शाखा कार्यालय, करनाल
9. शाखा कार्यालय, पानीपत
10. शाखा कार्यालय, गान्धबाद
11. शाखा कार्यालय, कुरुक्षेत्र
12. शाखा कार्यालय, फतेहवाड़
13. शाखा कार्यालय, सांची
14. शाखा कार्यालय, मुजफ्फर नगर
15. शाखा कार्यालय, मोताहारी
16. शाखा कार्यालय, देहरी-जील मॉन
17. शाखा कार्यालय, देवगढ़
18. शाखा कार्यालय, दावापुर
19. शाखा कार्यालय, बेगुसराय
20. शाखा कार्यालय, समस्तीपुर
21. शाखा कार्यालय, हाजीपुर
22. शाखा कार्यालय, रामगढ़
23. शाखा कार्यालय, मधुबनी

वि ओरिएण्टल इश्योरेम क लि.

1. नगर शाखा कार्यालय—5, भोपाल
2. नगर शाखा कार्यालय, माह
3. नगर शाखा कार्यालय, जबलपुर
4. नगर शाखा कार्यालय, कारवा
5. मंडल कार्यालय, रायबरेली
6. मण्डल कार्यालय, बम्बई—11
7. मण्डल कार्यालय—13, बम्बई
8. मण्डल कार्यालय—19, बम्बई
9. मण्डल कार्यालय—3, बडोदा
10. मण्डल कार्यालय—1, अहमदाबाद
11. क्षेत्रीय कार्यालय, बम्बई—1
12. शाखा कार्यालय—6, इन्दौर
13. शाखा कार्यालय—4, लखनऊ
14. शाखा कार्यालय, कानपुर
15. शाखा कार्यालय, प्रीमा
16. शाखा कार्यालय, बाध
17. शाखा कार्यालय, पाननपुर
18. शाखा कार्यालय, नवसारी
19. शाखा कार्यालय, बीलीपोरा
20. शाखा कार्यालय, दमन
21. शाखा कार्यालय—1, बडोदा
22. शाखा कार्यालय, बिलित नगर
23. शाखा कार्यालय, भुव
24. शाखा कार्यालय, भोरखो
25. शाखा कार्यालय, पेटलाव
26. शाखा कार्यालय, इन्दौर
27. शाखा कार्यालय, मुम्बई
28. शाखा कार्यालय—2, कानपुर

[स 13014/1/92 दि 31 अ 92]

प्रतिपक्ष, उप मन्त्रि

New Delhi the 14th July, 1992

S.O. 1997—In pursuance of Sub-rule (4) of rule 10 of the Official Language (Use of official purposes of the Union), Rules 1976 the Central Government hereby notifies the following offices of the General Insurance Corporation of India (under the Administrative Control of Ministry of Finance Department of Economic Affairs) where of more than 80 per cent of staff have acquired working knowledge of Hindi

Name of the Company National Insurance Co. Ltd.

- | | |
|------------------------------------|---------------------------------------|
| 1 Divisional Office-1, Chandigarh | 43 Branch Office Chandigarh (Ind) |
| 2 Divisional Office 2, Chandigarh | 44 Branch Office, Mohali |
| 3 Divisional Office-1, Ludhiana | 45 Branch Office, Ludhiana |
| 4 Divisional Office-2, Ludhiana | 46 Branch Office, Kurukshetra |
| 5 Divisional Office-3, Ludhiana | 47 Branch Office Kurukshetra |
| 6 Divisional Office, Patiala | 48 Branch Office, Rampur Phul |
| 7 Divisional Office, Monga | 49 Branch Office Khanna |
| 8 Divisional Office, Hoshiarpur | 50 Branch Office, Malote |
| 9 Divisional Office, Sirsa | 51 Branch Office, Fazilka |
| 10 Regional Office, Bombay | 52 Branch Office 3, Chandigarh |
| 11 Divisional Office-1, Bombay | 53 Branch Office, Bhikaji Kama Place |
| 12 Divisional Office-5, Bombay | 54 Branch Office, Hauz khas |
| 13 Divisional Office 6, Bombay | 55 Branch Office, Janakpuri |
| 14 Divisional Office-7, Bombay | 56 Branch Office Bahadurgarh Main |
| 15 Divisional Office-8, Bombay | 57 Branch Office, Herdhan Singh Road |
| 16 Divisional Office-9 Bombay | 58 Branch Office, Naraina, New Delhi |
| 17 Divisional Office 19, Bombay | 59 Branch Office Karampura |
| 18 Divisional Office 12, Bombay | 60 Branch Office Azadpur |
| 19 Divisional Office-1, Delhi | 61 Branch Office 8M Connaught Place |
| 20 Divisional Office 2, Delhi | 62 Branch Office Green Park Extension |
| 21 Divisional Office-7, Delhi | 63 Branch Office, Rajindra Place |
| 22 Divisional Office 16 Delhi | 64 Branch Office Bala |
| 23 Divisional Office-17, Delhi | 65 Branch Office Namtal |
| 24 Divisional Office-18 Delhi | 66 Branch Office, Najibabad |
| 25 Divisional Office 8 New Delhi | 67 Branch Office 2, Gorakhpur |
| 26 Divisional Office, Gurgaon | 68 Branch Office, Balghat |
| 27 Divisional Office 3, Delhi | 69 Branch Office Hazratnagar |
| 28 Divisional Office-12, Delhi | 70 Branch Office Gugla |
| 29 Divisional Office 14, Delhi | 71 Branch Office, Muzaffarpur |
| 30 Divisional Office 20, Delhi | 72 Branch Office, Darbhanga |
| 31 Divisional Office, Noida | 73 Branch Office, Chapra |
| 32 Divisional Office Shriharjanpur | 74 Branch Office, Agra |
| 33 Branch Office, Bhatinda | 75 Branch Office, Sivan |
| 34 Branch Office, Abhore | 76 Branch Office, Motihari |
| 35 Branch Office Sirhind | 77 Branch Office, Begusarai |
| 36 Branch Office Patiala | 78 Branch Office, Bala |
| 37 Branch Office Gurdaspur | 79 Branch Office, Madhubani |
| 38 Branch Office, Jagadhri | 80 Branch Office Nagpur |
| 39 Branch Office Hansi | 81 Branch Office, Amravati |
| 40 Branch Office Bathi | 82 Branch Office, Pipli |
| 41 Branch Office Bitta Road | 83 Branch Office-2 Pune |
| 42 Branch Office Chandigarh | 84 Branch Office 1, Nagpur |
| | 85 Branch Office-3 Nagpur |
| | 86 Branch Office, Gondia |
| | 87 Branch Office, Dharampet |
| | 88 Branch Office, Sogli |
| | 89 Branch Office, Ichalkaranji |
| | 90 Branch Office Bhandara |

New India Assurance Co. Ltd.,

1. Divisional Office, Karnal
2. Divisional Office, Muzaffar Nagar
3. Branch Office, Noida
4. Branch Office, Bulandshahar
5. Branch Office, Sahibabad
6. Branch Office, Modli Nagar
7. Branch Office, Ghaziabad
8. Branch Office, Karnal
9. Branch Office, Panipat
10. Branch Office, Shahbad
11. Branch Office, Kurukshetra
12. Branch Office, Fatchbad
13. Branch Office, Sanchi
14. Branch Office, Muzaffar Nagar
15. Branch Office, Motahari
16. Branch Office, Office, Dehri-Arab Son
17. Branch Office Deogarh
18. Branch Office, Danapur
19. Branch Office, Begusarai
20. Branch Office, Samastipur
21. Branch Office, Hajipur
22. Branch Office, Ramgarh
23. Branch Office-II, Madhubani

The Oriental Insurance Co. Ltd.,

1. City Branch Office-5, Bhopal
2. City Branch Office, Damoh
3. City Branch Office, Jabalpur
4. City Branch Office, Korba
5. Divisional Office, Raibareilly
6. Divisional Office-11, Bombay
7. Divisional Office-13, Bombay
8. Divisional Office-19, Bombay
9. Divisional Office-3, Baroda
10. Divisional Office-1, Ahmedabad
11. Regional Office, Bombay
12. Branch Office, Indore
13. Branch Office-4, Lucknow
14. Branch Office, Kanpur
15. Branch Office, Deesa
16. Branch Office, Vapi
17. Branch Office, Palanpur
18. Branch Office, Navsari
19. Branch Office, Bilimora
20. Branch Office, Daman
21. Branch Office-1, Baroda
22. Branch Office, Vivinagar
23. Branch Office, Bhuj

24. Branch Office, Morvi

25. Branch Office, Petlad
26. Branch Office, Indore
27. Branch Office, Supela
28. Branch Office-2, Kanpur

[No. 13011/1 92-HIC]
PRADEEP PURI, Dy. Secy.

नई दिल्ली, 14, जुलाई, 1992

का.मा. 1998—केन्द्रीय सरकार, राजभाषा (सघ के शासकीय प्रयोजनों के लिए प्रयोग) नियामावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में विस्तृत मंत्रालय (आर्थिक कार्य विभाग) के प्रशासनिक नियंत्रण में स्थित भारतीय माधारण बीमा निगम के निम्नलिखित कार्यालयों को, जिनके 80 प्रतिशत से अधिक कर्मचारीकुन्द ने हिन्दी का कार्यमाध्यम ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

कंपनी का नाम नेशनल इश्योरेंस कंपनी—

1. मंडल कार्यालय—[I], बंबई
2. मंडल कार्यालय, गांधी नगर
3. मंडल कार्यालय, बड़ोदा
4. मंडल कार्यालय, मेहसाणा
5. मंडल कार्यालय, आनन्द
6. शाखा कार्यालय, हिम्मतनगर
7. शाखा कार्यालय, सोडागा
8. शाखा कार्यालय, कपोल
9. शाखा कार्यालय—[I], बड़ोदा नगर
10. शाखा कार्यालय—[II], बड़ोदा नगर
11. शाखा कार्यालय, गोधरा
12. शाखा कार्यालय, दाहोद
13. शाखा कार्यालय, बिलीमोरा
14. शाखा कार्यालय, सुरतनगर
15. शाखा कार्यालय, पटना
16. शाखा कार्यालय, पालनपुर
17. शाखा कार्यालय, मेहसाणा
18. शाखा कार्यालय, कल्याण
19. शाखा कार्यालय, आनन्द नगर
20. शाखा कार्यालय, नाडियाद
21. शाखा कार्यालय, बातात्रा
22. शाखा कार्यालय, भीलवाडा
23. शाखा कार्यालय, सुरतगढ़
24. शाखा कार्यालय, श्रीगंगानगर

दि न्यू इंडिया एश्योरेंस कंपनी

1. मंडल कार्यालय—421800, मुरादाबाद
2. मंडल कार्यालय—421900, शक्तिनगर
3. मंडल कार्यालय—431100, शोपात्र
4. मंडल कार्यालय—311200, पृथ्वी
5. मंडल कार्यालय—311900 पृथ्वी 901

6. मंडल कार्यालय—540100, पटना
7. मंडल कार्यालय, सीतापुर
8. मंडल कार्यालय, लखमारी
9. मंडल कार्यालय—11, सुरा
10. मंडल कार्यालय, बलसाड
11. मंडल कार्यालय, वापी
12. शाखा कार्यालय—136701, बदना
13. शाखा कार्यालय—322203, बडौल
14. शाखा कार्यालय—420201, कानपुर सिटी
15. शाखा कार्यालय—420301, कानपुर
16. शाखा कार्यालय—420402, लखनऊ
17. शाखा कार्यालय—420605, शाहजहांपुर
18. शाखा कार्यालय—420802, इलाहाबाद सिटी
19. शाखा कार्यालय—420805, प्रतापगढ़
20. शाखा कार्यालय—450901, कोरबा सिटी
21. शाखा कार्यालय—540504, पूर्णिया
22. शाखा कार्यालय—310102, नई दिल्ली
23. शाखा कार्यालय—310201, नई दिल्ली
24. शाखा कार्यालय—310300, नई दिल्ली
25. शाखा कार्यालय—310401, दिल्ली
26. शाखा कार्यालय—310402, दिल्ली
27. शाखा कार्यालय—310501, दिल्ली
28. शाखा कार्यालय—310502, दिल्ली
29. शाखा कार्यालय—310601, दिल्ली
30. शाखा कार्यालय—310702, दिल्ली
31. शाखा कार्यालय—310801, दिल्ली
32. शाखा कार्यालय—310802, दिल्ली
33. शाखा कार्यालय—310901, दिल्ली
34. शाखा कार्यालय—310903, दिल्ली
35. शाखा कार्यालय—311001, दिल्ली
36. शाखा कार्यालय—311002, दिल्ली
37. शाखा कार्यालय, बाराखम्बा रोड, नई दिल्ली
38. शाखा कार्यालय—311101, दिल्ली
39. शाखा कार्यालय—311501, दिल्ली
40. शाखा कार्यालय—311502, दिल्ली
41. शाखा कार्यालय—311601, दिल्ली
42. शाखा कार्यालय—311701, दिल्ली
43. शाखा कार्यालय—311801, दिल्ली
44. शाखा कार्यालय, टिहरी
45. शाखा कार्यालय—321703, टाड्ड
46. शाखा कार्यालय, धेल
47. शाखा कार्यालय, इटारगढ़
48. शाखा कार्यालय, भिलाई

49. शाखा कार्यालय, जगदलपुर
50. शाखा कार्यालय—540102, पटना सिटी
51. शाखा कार्यालय, नैनी
52. शाखा कार्यालय, धावला

[स. 13011/1/92—हि.का.क.]

प्रदीप पुरी, उप सचिव

New Delhi, the 14th July, 1992

S.O. 1998.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices of the General Insurance Corporation of India (under the Administrative Control of Ministry of Finance, Department of Economic Affairs) where of more than 80 percent of staff have acquired working knowledge of Hindi.

Name of the Company : National Insurance Co. Ltd.,

1. Divisional Office-II, Bombay
2. Divisional Office, Gandhinagar
3. Divisional Office, Baroda
4. Divisional Office, Mehsana
5. Divisional Office, Anand
6. Branch Office, Himmatnagar
7. Branch Office, Bhodasa
8. Branch Office, Kalol
9. Branch Office-I, Baroda Nagar
10. Branch Office-II, Baroda Nagar
11. Branch Office, Godhra
12. Branch Office, Dahod
13. Branch Office, Bilimora
14. Branch Office, Surat Nagar
15. Branch Office, Patna
16. Branch Office, Palanpur
17. Branch Office, Mehsana
18. Branch Office, Kalyan
19. Branch Office, Anand Nagar
20. Branch Office, Nadiyad
21. Branch Office, Balotra
22. Branch Office, Bhilwara
23. Branch Office, Suratgarh
24. Branch Office, Sriganganagar

The New India Assurance Co. Ltd.

1. Divisional Office, Muradabad
2. Divisional Office-421900, Saktinagar
3. Divisional Office-451400, Bhopal
4. Divisional Office-311200 and 201
5. Divisional Office-311900 and 901
6. Divisional Office-550100 Patna
7. Divisional Office-Sitapur
8. Divisional Office, Navsari
9. Divisional Office-II, Surat
10. Divisional Office, Balsar
11. Divisional Office, Vapi
12. Branch Office-310701, Badna

- 13 Branch Office-122201, Baredi
- 14 Branch Office-120201, Kanpur City
- 15 Branch Office-420301, Kanpur
- 16 Branch Office-420402, Lucknow
- 17 Branch Office-420605, Shahjhanpur
- 18 Branch Office-420802, Allahabad City
19. Branch Office-420805, Pratapgarh
20. Branch Office-450901, Korba City
21. Branch Office-540504, Purnia
- 22 Branch Office-310102, New Delhi
23. Branch Office-310201, New Delhi
24. Branch Office-310300, New Delhi
25. Branch Office-310401, New Delhi
26. Branch Office-310402, Delhi
27. Branch Office-310501, Delhi
28. Branch Office-310502, Delhi
29. Branch Office-310601, Delhi
30. Branch Office-310702, Delhi
- 31 Branch Office-310801, Delhi
- 32 Branch Office-310802, Delhi
33. Branch Office-310901, Delhi
34. Branch Office-310903, Delhi
35. Branch Office-311001, Delhi
36. Branch Office-311002, Delhi
37. Branch Office, Barakhamba Road,
38. Branch Office-311401, Delhi
39. Branch Office-311501, Delhi
40. Branch Office-311502, Delhi
41. Branch Office-311601, Delhi
42. Branch Office-311701, Delhi
43. Branch Office-311801, Delhi
44. Branch Office, Tihri
45. Branch Office-321703, Taik
46. Branch Office, Bhel
47. Branch Office, Itarsi
48. Branch Office, Bhilai
49. Branch Office, Jagdalpur
50. Branch Office-540102, Patna City
51. Branch Office, Naini
- 52 Branch Office. Anwla.

[No. 13011/192-HIC]
PRADEEP PURI, Dy. Secy.

(बैंकिंग प्रभाग)

नई दिल्ली 3 जून, 1992

का आ 1999—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (1) तथा (2) के उपबन्ध तमिलनाडु मरकेन्टाइल बैंक लि. टूटीकोरिन पर 18 जून 1992 से 17 सितम्बर, 1992 तक तीन महीने की अवधि के दौरान बचसा बैंक के नियमित पूर्णकालिक अध्यक्ष को नियुक्ति होने तक, इनमें से जो भी पहले हो, लागू नहीं होंगे।

[म. 15/5/89—बी ओ III (1)]
के. के. मंगल, अवर सचिव

(Banking Division)

New Delhi, the 30th June, 1992

S.O. 1999—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of section 10-B of the said Act shall 'not' apply to the Tamilnad Mercantile Bank Limited, Tuticorin for a period of three months from 18th June, 1992 to 17th September 1992 or till the appointment of a regular wholetime Chairman for that bank, whichever is earlier.

[No. 15/5/89 B.O.III(i)]

K.K. MANGAL, Under Secy.

नई दिल्ली, 30 जून, 1992

का आ 2000.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (9) के उपबन्ध, तमिलनाडु मरकेन्टाइल बैंक लि. टूटीकोरिन पर 18 जून, 1992 से 17 सितम्बर, 1992 तक नया बैंक के नियमित अध्यक्ष की नियुक्ति होने तक, इनमें से जो भी पहले हो, उस सीमा तक लागू नहीं होंगे जहां तक बैंक की 4 महीने से अधिक के बास्ते अध्यक्ष एवं मुख्य कार्यपालक अधिकारी का कार्य करने के लिए किसी व्यक्ति को नियुक्त करने की छूट प्राप्त है।

[म. 15/5/89—बी ओ III (ii)]

के. के. मंगल, अवर सचिव

New Delhi, the 30th June, 1992

S.O. 2000—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (9) of section 10-B of the said Act shall not, to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman and Chief Executive Officer beyond a period exceeding four months, apply to the Tamilnad Mercantile Bank Limited, Tuticorin from 18th June, 1992 to 17th September, 1992 or till the appointment of a regular Chairman for that bank, whichever is earlier.

[No. 15/5/89-B.O.III(ii)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 10 जुलाई, 1992

का आ 2001—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (1) तथा (2) के उपबन्ध पंजाब को-ऑपरेटिव बैंक लि. पर, 9 जुलाई 1992 से 8 सितम्बर, 1992 तक दो महीने की अवधि के बास्ते अध्यक्ष बैंक के नियमित पूर्णकालिक अध्यक्ष की नियुक्ति होने तक, इनमें से जो भी पहले हो, लागू नहीं होंगे।

[म. 15/10/91—बी ओ III (1)]

के. के. मंगल, अवर सचिव

New Delhi, the 10th July, 1992

S.O. 2001.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of section 10-B of the said Act shall not apply to the Punjab Cooperative Bank Limited for a period of two months from 9th July, 1992 to 8th Sept., 1992 or till the appointment of a regular wholetime Chairman for that bank, whichever is earlier.

[No. 15/10/91-B.O.II(i)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 10 जुलाई, 1992

का. आ. 2001.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उपधारा (9) के उपबन्ध, पंजाब को-ऑपरेटिव बैंक लि. पर 9 जुलाई, 1992 से 8 सितम्बर, 1992 तक अथवा बैंक के नियमित अध्यक्ष की नियुक्ति होने तक इनमें से जो भी पहले हो, उस समा तक लागू नहीं होंगे जहां तक बैंक को 4 महीने में अधिक के वास्ते अध्यक्ष एवं मुख्य कार्यपालक अधिकारी का कार्य करने के लिए किसी व्यक्ति को नियुक्त करने की छूट प्राप्त है।

[संख्या 15/10/91—बी. ओ. III(ii)]

के. के. मंगल, अवर सचिव

New Delhi, the 10th July, 1992

S.O. 2002.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (9) of section 10-B of the said Act shall not, to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman and Chief Executive Officer beyond a period exceeding four months, apply to the Punjab Co-operative Bank Limited from 9th July 1992 to 8th September 1992 or till the appointment of a regular Chairman for that bank, whichever is earlier.

[No. 15/10/91-B.O.III(ii)]

K. K. MANGAL, Under Secy.

नई दिल्ली, 15 जुलाई, 1992

का. आ. 2002.—भारतीय स्टेट बैंक अधिनियम, 1959 (1959 का 38) की धारा 26 की उपधारा (1) और उपधारा (2क) के साथ पठित धारा 25 की उपधारा (1) के खण्ड (गख) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, इस समय स्टेट बैंक आफ सौराष्ट्र, प्रधान कार्यालय, भावनगर में एन. एस. सी. विभाग में तैनात श्री एन. आई. बुध, प्रबंधक (एन ए. जी एस-III) को स्टेट बैंक आफ सौराष्ट्र के उन कर्मचारियों में से, जो कर्मकार नहीं है, दिनांक 15 जुलाई, 1992 से तीन वर्ष की अवधि के लिए, या जब तक वे स्टेट बैंक आफ सौराष्ट्र का अधिकारी पद छोड़ नहीं देते, इनमें से जो भी पहले हो, स्टेट बैंक आफ सौराष्ट्र के निदेशक मंडल में निदेशक के रूप में नियुक्त करती है।

[संख्या 9/21/91—बी. ओ. I]

एम. एस. सीतारामन, अवर सचिव

New Delhi, the 15th July, 1992

S.O. 2003.—In pursuance of clause (cb) of sub-section (1) of section 25 read with sub-section (1) and sub-section (2A) of section 26 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government hereby appoints Shri S. I. Buch, Manager (MMGS-III) presently posted in the S.I.B. Department, State Bank of Saurashtra, Head Office, Bhavnagar, as a director on the Board of the State Bank of Saurashtra from among the employees of the State Bank of Saurashtra who are not workmen, with effect from the 15th July, 1992 for a period of three years or until he ceases to be an officer of the State Bank of Saurashtra, whichever is earlier.

[No. 9/21/91-B.O.I]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 17 जुलाई, 1992

का. आ. 2004.—भारतीय स्टेट बैंक (अनुपंगी बैंक) अधिनियम, 1959 (1959 का 38) की धारा 26 की उपधारा (1) और उपधारा (2क) के साथ पठित धारा 25 की उपधारा (1) के खण्ड (गख) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, इस समय स्टेट बैंक आफ मैसूर, प्रधान कार्यालय, बंगलूर के निरीक्षण विभाग में तैनात लेखा परीक्षक (एन एम जी एस IV) श्री एच. राघवेंद्र राव को स्टेट बैंक आफ मैसूर के उन कर्मचारियों में से, जो कर्मकार नहीं है, दिनांक 17 जुलाई, 1992 से 30 जून, 1994 को समाप्त अवधि के लिए, या जब तक वे स्टेट बैंक आफ मैसूर का अधिकारी पद छोड़ नहीं देते, इनमें से जो भी पहले हो, स्टेट बैंक आफ मैसूर के निदेशक मंडल में निदेशक के रूप में नियुक्त करती है।

[संख्या 9/31/91—बी. ओ. I]

एम. एस. सीतारामन, अवर सचिव

New Delhi, the 17th July, 1992

S.O. 2004.—In pursuance of clause (cb) of sub-section (1) of section 25 read with sub-section (1) and sub-section (2A) of section 26 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government hereby appoints Shri H. Raghavendra Rao, Auditor (SMGS IV), presently posted in the Inspection Department, State Bank of Mysore, Head Office, Bangalore, as a director on the Board of the State Bank of Mysore, from among the employees of the State Bank of Mysore who are not workmen, for the period commencing on the 17th July, 1992 and ending with the 30th June, 1994, or until he ceases to be an officer of the State Bank of Mysore, whichever is earlier.

[No. 9/31/91-B.O.I]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 17 जुलाई, 1992

का. आ. 2005.—भारतीय स्टेट बैंक (अनुपंगी बैंक) अधिनियम, 1959 (1959 का 38) की धारा 26 की उपधारा (1) और (2क) के साथ पठित धारा 25 की उपधारा (1) के खण्ड (गख) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, इस समय स्टेट बैंक आफ पटियाला, प्रधान कार्यालय, पटियाला, के निरीक्षण विभाग में तैनात डेस्क ऑफिसर (एन एम जी एस-III) श्री बी. सी. बाली को, स्टेट बैंक आफ पटियाला के उन कर्मचारियों में से, जो कर्मकार नहीं है, 17 जुलाई, 1992 से तीन वर्ष की अवधि के लिए, या जब तक वे स्टेट बैंक आफ पटियाला का अधिकारी पद छोड़ नहीं देते, इनमें से जो भी पहले हो, स्टेट बैंक आफ पटियाला के निदेशक मंडल में निदेशक के रूप में नियुक्त करती है।

[सं. 9/31/91—बी. ओ.-I]

एम. एस. सीतारामन, अवर सचिव

New Delhi, the 17th July, 1992

S.O. 2005.—In pursuance of clause (cb) of sub-section (1) of section 25 read with sub-section (1) and sub-section (2A) of section 26 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government hereby appoints Shri B. C. Bassi, Desk Officer (MMGS-III) presently posted in the Inspection Department, State Bank of Patiala, Head Office, Patiala, as a director on the Board of the State Bank of Patiala, from among the employees of the State Bank of Patiala who are not workmen, with effect from the 17th July, 1992, for a period of three years, or until he ceases to be an officer of the State Bank of Patiala whichever is earlier.

[No. 9/32/91-B.O.]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 17 जुलाई, 1992

का. घा. 2006.—भारतीय स्टेट बैंक (प्रत्युपगी बैंक) अधिनियम, 1959 (1959 की 38) की धारा 26 की उपधारा (1) और उपधारा (2क) के साथ पठित धारा 25 की उपधारा (1) के खण्ड (ग ख) के अनुसरण में, केन्द्रीय सरकार, एतद्वारा, इस समय स्टेट बैंक आफ बीकानेर एण्ड जयपुर प्रदात कार्यालय, जयपुर के संगठन और बढति विभाग में सेनात मुख्य प्रबंधक (एम. एम. सी. एस-IV) श्री एम. एम. संघी को स्टेट बैंक आफ बीकानेर एण्ड जयपुर के उन कर्मचारियों में से, जो कर्मचार नहीं हैं, दिनांक 17 जुलाई, 1992 में सेनात वर्ष की अवधि के लिए, या तब तक वे स्टेट बैंक आफ बीकानेर एण्ड जयपुर का अधिनारी पद छोड़ नहीं देते, इनमें से जो भी पहले हो, स्टेट बैंक आफ बीकानेर एण्ड जयपुर के निदेशक मण्डल में निदेशक के रूप में नियुक्त करती है।

[संख्या 9/22/91—बी. ओ. -I]

एम. एस. सीतारामन, अधीन अधिकारी

New Delhi, the 17th July, 1992

S.O. 2006.—In pursuance of clause (cb) of sub-section (1) of section 25 read with sub-section (1) and sub-section (2A) of section 26 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government hereby appoints Shri U. M. Sanghi, Chief Manager (SMGS-IV), presently posted in the Organisation and Method Department, State Bank of Bikaner and Jaipur, Head Office, Jaipur, as a director on the Board of the State Bank of Bikaner and Jaipur, from among the employees of the State Bank of Bikaner and Jaipur who are not workmen with effect from the 17th July, 1992, for a period of three years or until he ceases to be an officer of the State Bank of Bikaner and Jaipur, whichever is earlier.

[No. 9/22/91-B.O.]

M. S. SEETHARAMAN, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 13 जुलाई, 1992

का. घा. 2007.—केन्द्रीय सरकार, निर्यात (बहासिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बजाज घाटो लिमिटेड, बाकुल, पुणे-411035 से विनिर्मित 150 सी सी क्षमता तक के दुपहिया या त्रिपहिया स्कूटरों में प्रयुक्त आटोमोबाइल के बूजों, संयंत्रों और उपसाधनों का निर्यात से पूर्ण निरीक्षण करने के मैसर्स बजाज घाटो लिमिटेड को प्रिनका रजिस्ट्री कृत कार्यालय

बाकुल, पुणे-411035 में स्थित है, 27 मई, 1992 से तीन और वर्षों की अवधि के लिए का. घा. 1228 तारीख 20 मई, 1989 के अनुसार अधिनियम शर्तों के अधीन रहते हुए, अधिनियम के रूप में मान्यता देती है।

[फाइल नं. 3(2)/89—ई आई एच ई सी]

कुमारी सुमा सुब्बान्ना (निदेशक)

MINISTRY OF COMMERCE

New Delhi, the 13th July, 1992

S.O. 2007.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control & Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises M/s Bajaj Auto Ltd., having their registered office at Akurdi, Pune-411035 as the agency for a further period of 3 years w.e.f. 27-5-1992, for inspection of automobile spares, Components and Accessories for 2/3 wheeler scooters upto 150 cc capacity at M/s. Bajaj Auto Ltd., Akurdi, Pune-411035 prior to export subject to the conditions notified vide S.O. No. 1228 dated 20-5-1989.

[File No. 5(2)/89-EI & EP]

KUMARI SUMA SUBBANNA, Director

(मुख्य निर्यातक आयात-निर्यात का कार्यालय)

घादेश

नई दिल्ली, 17 जुलाई, 1992

का. घा. 2008.—मै. विदेश संचार नियम नि. बम्बई की संलग्न शर्तों के अनुसार सामान्य मुद्रा क्षेत्र के अन्तर्गत प्रतिरक्षण गुजों के आयात के लिए 5,11,175/- रुपये (पांच लाख स्यान्त्र हजार एक सौ पन्चहत्तर रुपये मात्र) का एक आयात लाइसेंस नं. 1/डी/2021872 दिनांक 18-2-91 संवत् निर्मा गया था।

एम. न. उक्त लाइसेंस की दूसरी मुद्रा नियंत्रण प्रयोजन प्रति इस आधार पर जारी करने के लिए आवेदन किया है कि लाइसेंस की मूल मुद्रा नियंत्रण प्रति खो गई है या गुम हो गई है। यह भी बताया गया है कि लाइसेंस की मुद्रा नियंत्रण प्रति के मुद्दे 23-10-91 को बैंक आफ इंडिया, बम्बई के साथ एक ऋण पत्र (एल/सी) किया गया था तथा यह बम्बई हवाई ब्रह्मे पर उतरे हुए माल की निकासी के लिए दूसरी मुद्रा नियंत्रण प्रति अपेक्षित है।

2. अपने तर्कों के समर्थन में लाइसेंस धारी ने नोटरी पब्लिक द्वारा बम्बई के समक्ष विधिवत् शपथ लेकर स्टाम्प पेपर पर एक हलफनामा दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस नं. 1/डी/2021872 दिनांक 18-2-91 की मूल मुद्रा नियंत्रण प्रति फर्म से खो गई है या गुम हो गई है। यथा संशोधित आयात (नियंत्रण) घादेश, 1955 दिनांक 7-12-1955 के उप खण्ड 9 (गग) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं विदेश संचार नियम नि. बम्बई को जारी की गई उक्त मूल मुद्रा नियंत्रण प्रति नं. 1/2021872 दिनांक 18-2-91 को एतद्वारा निरस्त किया जाता है।

3. पार्टी को उक्त लाइसेंस की एक दूसरी मुद्रा नियंत्रण प्रति प्रत्येक में जारी की जा रही है।

[फा. नं. प्रक/एनएस/10/855/डीजीटीडी/एम-91/एसएसएस/ (पार्टे) 229]

माया डी. कैम. उप मुख्य निर्यातक, आयात-निर्यात

(Office of the Chief Controller of Imports and Exports)
ORDER

New Delhi the 17th July, 1992

S.O. 2008—M/s. Videsh Sanchar Nigam Ltd., Bombay were granted an import licence No. I/D/2021872 dt. 18-2-91 for Rs. 5,11,175 (Rupees Five lakhs eleven thousand one hundred and seventy five only) for import of spares as per list attached under GCA.

The firm has applied for issue of duplicate Exchange Control purpose copy of the above mentioned licence on the ground that the original Exchange Control copy of the licence has been lost or misplaced. It has further been stated that against the Exchange Control copy of the licence an L/C was established with the Bank of Baroda, Bombay on 23-10-91 and the Duplicate Exchange copy is now required for clearance of goods landed at Bombay Air Port.

2. In support of their contention the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Greater Bombay. I am accordingly satisfied that the original Exchange Control copy of import licence No. I/D/2021872 dt. 18-2-91 has been lost or misplaced by the firm, in exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dt. 7-12-1955 as amended the said original Exchange Control copy No. I/D/2021872 dt. 18-2-91 issued to M/s. Videsh Sanchar Nigam Ltd., Bombay is hereby cancelled.

3. A duplicate Exchange Control copy of the said licence is being issued to the party separately.

[F No Suppl./NS/10/955/DGTD/AM-91/SLS (Pt.)/229]

MAYA D-KEM, Dy. Chief Controller of Imports & Exports.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 8 जुलाई, 1992

का प्रा 2009—केन्द्रीय सरकार दल चिकित्सक अधिनियम, 1948 (1948 का 10) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दल चिकित्सा परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्—

उक्त अनुसूची के भाग 1 में क्रम संख्यांक 36 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्यांक और प्रविष्टियाँ जोड़ी जाएंगी, अर्थात्—

"37 मगध विश्वविद्यालय, बेचलर ऑफ़ बी डी एस
बाध-गया (बिहार) हॉटल सर्जरी, मगध"।

[संख्या बी-12018/7/91-पीएमएस]

आर. श्री निवासन, अधर सचिव

टिप्पण—अनुसूची में बाद में निम्नलिखित संशोधन किए गए हैं—

1. का प्रा संख्या 1548, दिनांक 3 मई, 1988
2. का प्रा संख्या 2255, दिनांक 1 जुलाई, 1988
3. का प्रा संख्या 79, दिनांक 22 दिसम्बर, 1988
4. का प्रा संख्या 2672, दिनांक 26 सितम्बर, 1989
5. का प्रा संख्या 3138, दिनांक 15 नवम्बर, 1989
6. का प्रा संख्या 3282, दिनांक 12 दिसम्बर, 1989
7. का प्रा संख्या 668, दिनांक 26 फरवरी, 1990

8. का प्रा संख्या 1502, दिनांक 3 मई, 1990

9. का प्रा संख्या 1762, दिनांक 5 जून, 1990

10. का प्रा संख्या 1763, दिनांक 13 जून, 1990

11. का प्रा संख्या 3427, दिनांक 19 नवम्बर, 1990

12. का प्रा संख्या 3338, दिनांक 27 नवम्बर 1990

13. का प्रा संख्या 1455, दिनांक 1 मई, 1991

MINISTRY OF HEALTH AND FAMILY WELFARE

(Deptt. of Health)

New Delhi, the 8th July, 1992

S.O. 2009.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendments in the Schedule to the said Act, namely :—

In Part I of the said Schedule, after serial number 36 and the entries relating thereto, the following serial number and entries shall be added, namely :—

"37 Magadh University Bachelor of B.D.S. Magadh".
Bodh Gaya (Bihar) Dental Surgery

[No. V. 12018/7/91-PMS]

R. SRINIVASAN, Under Secy.

Foot-note :—

Part I of the Schedule was subsequently amended vide :—

1. S.O. number 1548 dated the 3rd May, 1988.
2. S.O. number 2255 dated the 1st July, 1988
3. S.O. number 79 dated the 22nd December, 1988.
4. S.O. number 2672 dated the 26th September, 1989.
5. S.O. number 3138 dated the 15th November, 1989
6. S.O. number 3282 dated the 12th December, 1989.
7. S.O. number 668 dated the 26th February, 1990
8. S.O. number 1502 dated the 3rd May, 1990
9. S.O. number 1762 dated the 5th June 1990
10. S.O. number 1763 dated the 13th June 1990
11. S.O. number 3427 dated the 19th Nov., 1990.
12. S.O. number 3338 dated the 27th November, 1990
13. S.O. number 1455 dated the 1st May, 1991.

नई दिल्ली, 10 जुलाई 1992

का प्रा 2010—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्—

उक्त अनुसूची में "महर्षि दयानन्द विश्वविद्यालय" शीर्षक के नीचे की प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियाँ जोड़ी जाएंगी अर्थात्—

"डॉक्टर ऑफ़ मेडिसिन —एम डी. (ड्यूबेरकुलोसिस एंड
(ड्यूबेरकुलोसिस फ्लैट टिसीजेज)
एंड चैस्ट डिजीजेज)

(10 अगस्त, 1990 का या इससे पहले प्रदान की गई)।

[सं. बी-11015/5/91-एम ई (4 जी)]

आर. विजयकुमारी, डेप्ट. सचिव

New Delhi, the 10th July, 1992

S.O. 2010.—In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government after consulting the Medical Council of India hereby makes the following further amendment in the First Schedule to the said Act, namely :—

In the said Schedule under the heading “Maharshi Dayanand University”, after the entries, the following entries shall be added, namely :—

“Doctor of Medicine—M. D. Tub. & Chest Diseases)
(Granted (Tuberculosis and Chest Diseases) on or before to the August, 1990”).

[No. V.11015/5/91-ME(UG)]

R. VIJAYKUMARI, Desk Officer

अतः, अत्र, मेडिकल और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का जैत) अधिनियम, 1962 (1962 का 50) की धारा 3 के उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार में उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन्डोरा धोषित किया है।

अतः कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आशय समक्ष प्राधिकारी से तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यावहारिक रूप से हो या किसी विधि व्यवसायी की मार्फत।

[सं., ओ-12016/43/92/ओ.एन.जी.डी.-4]

एम. माटिन, डेस्क अधिकारी

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 13 जुलाई, 1992

का.आ. 2011:—चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम 1952 (1952 का 37) का खंड-5 के उपखंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार केन्द्रीय फ़िल्म प्रमाणन बोर्ड के बम्बई सलाहकार पैनल के सदस्य श्री मुश्ताक अन्तुले का त्याग पत्र तारीख 11-6-92 से स्वीकार करती है। तदनुसार वह इस तारीख से सदस्य नहीं रहे।

[फा.स. 809/3/91-एफ. (सी)]

एम.एम. सेठ, डेस्क अधिकारी

अनुसूची

बीएनएफआर से बलोल इपीएस-II तक पाइप लाइन बिछाने के लिए।

राज्य :—गुजरात जिला—और तालुका—मेहमाणा

गांव	सर्वे न.	हे.	आर.	से.
देवोली	237	0	20	40
	108/1	0	14	64
	111/1	0	05	52
	111/2	0	06	96
	112	0	18	60
	117	0	07	20

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 13th July, 1992

S.O. 2011.—In exercise of the powers conferred by sub-section (1) of section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to accept the resignation of Shri Mushtaq Antulay as a member of the Bombay Advisory Panel of the Central Board of Film Certification w.e.f. 11-6-92. He accordingly ceases to be such a member w.e.f. that date.

[F. No. 809/3/91-F(C)]

M. S. SETHI, Desk Officer

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2012:—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में बीएनएफआर से बलोल इपीएस-II तक पेट्रोलियम के परिवहन के लिये पाइपलाइन नेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जाना चाहिए।

और, अतः, यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एन्डोरा अधिसूचना में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 14th July, 1992

S.O. 2012.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from BLFR to Balol EPS-II in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline BLFR to Balol EPS. II

State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hect.	Are	Cent.
1	2	3	4	5
Deloli	237	0	20	40
	108/1	0	14	64
	111/1	0	05	52
	111/2	0	06	96
	112	0	18	60
	117	0	07	20

[No. O-12016/43/92-ONG.D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2013—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी.जी.एच.-V से जी.जी.एच.-VII तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

इतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने २२ में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

इससे कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उक्त भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी.जी.एच. V से जी.जी.एच. VII तक कलोल क्षेत्र में पाइप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला—मेहसाना	तालुका—कलोल		
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेंटियर
1	2	3	4	5
वडावस्वामी	146	0	09	00
	147	0	14	46
	151	0	07	20
	150	0	06	40

1	2	3	4	5
	158	0	12	55
	159/2	0	05	65
	214	0	12	00
	213	0	04	10
	222	0	00	90
	210	0	03	70
	224	0	11	30
	कार्टे ट्रेक	0	01	00
	225	0	11	80
	कार्टे ट्रेक	0	00	70
	227	0	06	90
	289	0	01	48
	290	0	06	42
	298	0	15	20
	306	0	03	10
	303	0	05	25
	304	0	04	55

[सं. ओ-12016/44/92-ओ.एन.जी.डी.-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2013.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS V to GGS VII in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 2 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GGS V to GGS VII in Kalol Field

State : Gujarat District : Mehsana Taluka : Kalol

Village	Block No.	Hect.	Are	Cent.
1	2	3	4	5
Vadavswami	146	0	09	00
	147	0	14	46
	151	0	07	20
	150	0	06	40
	158	0	12	55
	159/2	0	05	65
	214	0	12	00

1	2	3	4	5
	213	0	04	10
	222	0	00	90
	210	0	03	70
	214	0	11	20
	Cart track	0	01	00
	225	0	11	80
	Cart track	0	00	70
	327	0	06	90
	289	0	01	45
	290	0	06	42
	298	0	15	20
	306	0	03	10
	303	0	05	25
	304	0	04	55

[No. O-12016/44/92-ONGD. IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.प्रा. 2014.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल क्षेत्र में जी.जी.एस.-IV से जी.जी.एस.-V तक पेट्रोलियम के परिवहन के निम्न पद्धति द्वारा तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी साइटों को बिछाने के प्रयोजन के लिए एतद्पात्र अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आयोग समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और रखरखाव प्रभाग, मकरपुरा रोड, वडोदा-3 को धरा अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति निम्नलिखित यह भी कथन करेगा कि क्या यह यह चाहता है कि उसकी सुगन्धी व्यक्तिगत संपत्ति हो या किसी बिधि व्यवसायी को भाँझें।

अनुसूची

कलोल क्षेत्र में जी.जी.एस. IV से जी.जी.एस.-V तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला—मेहराना	तालुका—कलोल		
खंड	क्रमांक.	हेक्टेयर	आर.	सेंटीमीटर
1	2	3	4	5
ओला	474	0	06	50
	477	0	23	50
	कार्ट ट्रैक	0	00	70
	480	0	03	65
	302	0	12	25

1	2	3	4	5
	कार्ट ट्रैक	0	00	70
	138	0	20	40
	कार्ट ट्रैक	0	01	20
	140	0	03	20
	141	0	10	90
	142	0	30	50
	143	0	01	05
	145	0	10	45
	122	0	11	90
	121	0	08	20
	119	0	01	65
	कार्ट ट्रैक	0	00	70
	118	0	05	50
	64	0	11	60
	88	0	00	24
	89	0	02	45
	87	0	11	00
	85	0	02	50
	71	0	13	60
	कार्ट ट्रैक	0	10	45
	82	0	03	75
	72	0	08	95

[सं. ओ-12016/45/92-ओ.एन.जी.सी.-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2014.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS IV to GGS V in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GGS IV to GGS V in Kalol Field State : Gujarat District : Mehrana Jaluka : Kalol.

1	2	3	4	5
Ola	474	0	06	50
	477	0	23	50
	Cart track	0	00	70
	480	0	03	65

1	2	3	4	5
	302	0	12	25
	Cart track	0	00	70
	138	0	20	40
	Cart track	0	01	20
	140	0	03	20
	141	0	10	90
	142	0	30	50
	143	0	01	95
	145	0	10	45
	122	0	11	90
	121	0	06	20
	119	0	01	46
	Cart track	0	00	70
	118	0	05	50
	64	0	11	60
	88	0	00	24
	89	0	02	65
	87	0	11	00
	85	0	02	50
	71	0	18	60
	Cart track	0	10	45
	82	0	03	75
	72	0	08	95

[No. O-12016/45/92-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.प्रा. 2015.--यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में जी.जी.एस.-VI से जी.जी.एस.-VII तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारो तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीदा-9 को इस अधिसूचना की तारीख से 23 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी बताना करेगा कि क्या यह वह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी.जी.एस. VI से जी.जी.एस. VII तक कलोल क्षेत्र में पाइप लाइन बिछाने के लिए।

राज्य : -- गुजरात जिला : -- मेहसाणा तालुका : -- कडी

गांव	सर्वे नं.	हेक्टेयर	आर.	सेंटोवर
झुलासन	534	0	04	05
	535/3	0	03	96
	535/1	0	01	26
	534/4	0	00	44
	536/1	0	00	04
कार्ट ट्रैक		0	00	30
	557	0	04	95

[सं. ओ-12016/46/92-ओ.एन.जी.डो.-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2015.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS VI to GGS VII in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto:—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GGS VI to GGS VII in Kalol Field

State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No	Hect.	Acre	Cent
Zulasan	534	0	04	05
	535/3	0	03	96
	535/1	0	01	26
	536/4	0	00	44
	536/1	0	00	04
Cart track		0	00	30
	557	0	04	95

[No. O-12016/46/92-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का आ. 2016.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी.जी.एस.-VI से जी.जी.एस.-VII तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसे लाइनों को बिछाने के प्रयोजन के लिए एतद्पावड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस आयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के मौखिक पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

जी.जी.एस. VI से जी.जी.एस. VII तक कलोल क्षेत्र में पाइप लाइन बिछाने के लिए।

राज्य :- गुजरात जिला :- मेहराना तालुका :- कडो

गाव	सर्वे नं.	हेक्टेयर	आर.	सेटीयर
1	2	3	4	5
अम्बारपुरा	100	0	20	40
	109/ए/बी	0	02	80
	109/2	0	02	75
	कार्ट ट्रैक	0	02	50
	110	0	14	20
	121	0	00	63
	120	0	01	95
	119/7	0	02	95
	119/6	0	03	05
	119/5	0	04	85
	107	0	03	55
	103/1	0	02	40
	105	0	12	30
	14	0	06	96
	13/1/2/3/4	0	10	98
	18/1	0	00	70
	12	0	05	10
	11	0	05	60
	10	0	03	80
	39/5	0	01	60
	40/3	0	00	90

1	2	3	4	5
	कार्ट ट्रैक	0	01	20
	7	0	01	10
	47/1	0	16	90
	50	0	06	70
	49/2	0	03	40
	53/3	0	04	04
	53/2	0	00	20
	55/1	0	00	25
	62/2	0	04	10
	67	0	06	00
	64/3	0	04	75
	64/4	0	00	12
	61/2	0	00	33
	66/2	0	02	50
	66/1	0	00	30
	68	0	12	40

[सं. ओ-12016/47/92-ओ.एन.जी.डो.-IV]

एम. माटिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2016.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS VI to GGS VII in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GGS VI to GGS VII in Kadi Field

State : Gujarat District : Mehrana Taluka : Kadi

1	2	3	4	5
Ambarpura	100	0	20	40
	109/A/B	0	02	80
	109/2	0	02	75
	Cart track	0	02	50
	110	0	14	20
	121	0	00	63
	120	0	01	95
	119/7	0	02	95
	119/6	0	03	05

119/5	0	01	25
107	0	03	45
103/1	0	02	20
105	0	12	30
11	0	06	0
13, 17, 3/1	0	10	00
18/1	0	00	70
12	0	05	10
11	0	05	60
10	0	03	90
30/5	0	01	60
40/3	0	00	90
Cart track	0	01	20
7	0	01	10
47/1	0	16	90
50	0	06	70
49/2	0	03	40
53/3	0	04	04
53/2	0	09	20
53/1	0	09	25
62/2	0	01	10
67	0	06	00
64/3	0	04	78
64/4	0	00	12
64/2	0	00	38
66/2	0	02	50
66/1	0	00	30
68	0	12	40

[No. O-12015/47/92-ONGD-IV]

M. MARTIN, Desk Officer

तृई दिवसी, शुक्र 14, 1952

का. शा. 2017.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कपास क्षेत्र में क्लॉटर लार्डन तक पेट्रोलियम के परिवहन के लिए पाइपलाइन रेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लार्डनों को बिछाने के प्रयोजन के लिए एन्डोवमेंट अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है —

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हिनबद कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समझा प्राधिकारी तथा प्राधिकृत गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा र.ड., बड़ोदा—9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा की क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी निधि व्यवसायी की मार्फत।

अनुसूची				
कलोन क्षेत्र में क्लॉटर लार्डन बिछाने के लिए।				
राज्य गुजरात जिला	मेरुता	ताबुला	करोर	
गांव	सर्वे नं.	हे.	प्रार. से.	
1	2	3	4	5
करोल	41	0	06	40
	59	0	08	40
	58/1	0	08	60
	58/2	0	02	10
	56	0	06	80
	73	0	22	90
	75	0	03	50
	काटेड्रेक	0	02	20
	174/1	0	05	15
	174/2	0	03	15
	176	0	07	85
	काटेड्रेक	0	00	40
	177/1	0	06	75
	196	0	03	05
	195	0	11	60
	252/230	0	08	70
	252/229	0	05	50
	252/228	0	04	50
	252/225	0	02	20
	252/224	0	09	95
	252/223	0	30	40
	213	0	00	50
	214	0	14	45
	215	0	13	35
	216	0	03	00
	काटेड्रेक	0	04	15
	252/68	0	13	15
	252/69	0	01	75
	252/66	0	13	20
	काटेड्रेक	0	04	45
	252/61	0	04	50
	252/30	0	16	35
	252/22	0	03	15
	252/23	0	01	30
	252/24	0	02	55
	252/25	0	16	60
	252/12	0	10	45
	252/13	0	09	05
	252/11	0	02	35
	251/32	0	14	15
	251/33	0	07	65
	251/31	0	05	55
	काटेड्रेक	0	01	41
	251/36	0	07	85
	251/38	0	05	05
	251/40	0	05	95

[म. शं. 12016/48/92 ओ.एन.जी.डी.—IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2017.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Kalol Field to Collector line in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline for Effluent Collector in Kalol Field
State : Gujarat Distri- : Mehsana Taluka : Kalol

Village	Survey No.	Hectare	Acre	Cent.
1	2	3	4	5
Kalol	44	0	06	40
	59	0	08	40
	58/1	0	08	60
	58/2	0	02	10
	56	0	06	80
	73	0	22	90
	75	0	03	50
	Cart track	0	02	20
	174/1	0	05	15
	174/2	0	03	15
	176	0	08	85
	Cart track	0	00	40
	177/1	0	06	75
	196	0	03	05
	195	0	11	60
	252/230	0	08	70
	252/229	0	05	50
	252/228	0	04	50
	252/225	0	02	20
	252/224	0	90	95
	252/223	0	30	40
	213	0	00	50
	214	0	14	45
	215	0	13	35
	216	0	02	00
	Cart track	0	04	15
	252/68	0	13	15
	252/69	0	01	75
	252/66	0	13	20
	Cart track	0	04	45
	252/61	0	04	50
	252/30	0	16	35
	252/22	0	06	15
	252/23	0	04	30
	252/24	0	02	55
	252/25	0	16	60
	252/12	0	10	45

1	2	3	4	5
	252/13	0	09	05
	252/11	0	02	35
	251/32	0	14	15
	251/33	0	07	65
	251/34	0	05	55
	Cart track	0	01	44
	251/36	0	07	85
	251/38	0	05	50
	251/40	0	05	95

[No. O 120 648/92—ONGD IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई 1992

आ. आ. 201 —यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कलोल क्षेत्र में कलक्टर लाइन तक पेट्रोलियम के परिवहन के लिए पाइपलाइन लेन तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के लिए पतदपाबद्ध अनुसूच में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय पतद्वारा घोषित किया है।

बतर्क कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समस्त प्राधिकारी लेन तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग मकरपुरा रोड, "बडोदा-9" को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐतः आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा की क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कलोल क्षेत्र में इंक्यूपेटेड कलक्टर लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसना तालुका : कलोल

गाँव	सर्वे न	हे.	आन.	से
1	2	3	4	5
सईम	976	0	02	45
	977	0	00	30
	980	0	03	50
	99-	0	11	50
	1211	0	00	75
	1210 / 2/1	0	04	75
	1216	0	06	10
	1212	0	00	75
	1213 / 2 1/	0	07	45
	1214/1	0	03	50

1	2	3	4	5	1	2	3	4	5
	699	0	12	65		176/1	0	00	75
	697/1	0	01	20		176/2	0	01	20
	696/1	0	15	65		176/3	0	00	40
	690/1	0	02	95		462	0	15	55
	690/	0	00	85		463/1/2/3	0	04	45
	690/4	0	01	30		472/4	0	13	05
	690/5	0	00	20		471/1/2	0	17	45
	689	0	01	95		काटे ट्रेक	0	00	85
	688/1	0	00	10		561/1	0	04	10
	688/4	0	01	05		561/2	0	00	60
	681	0	11	65		561/4	0	06	65
	680	0	05	85		561/7	0	00	35
	काटे ट्रेक	0	01	15		561/8	0	01	40
	654/1ए	0	02	95		585/1	0	02	55
	654/1बी	0	02	55		585/3	0	08	70
	658	0	01	95		597	0	16	05
	650/1, 11, 12	0	00	14		काटे ट्रेक	0	00	85
	659/2	0	01	65		776	0	08	20
	659/7	0	01	00		784	0	04	60
	659/1ए/बी	0	05	40		783	0	00	75
	660/1	0	05	85		782	0	12	85
	660/2	0	06	30		780	0	08	35
	661/1	0	00	60		779	0	02	15
	662/1	0	02	55					
	काटे ट्रेक	0	01	45					
	559/1	0	02	90					
	549/1	0	02	90					
	541/1/2	0	03	15					
	541	0	10	65					
	547/1	0	05	15					
	547/2	0	00	75					
	517/1	0	02	45					
	548/3	0	08	15					
	548/1	0	03	05					
	548/2	0	03	85					
	551	0	08	55					
	553/1/2	0	17	65					
	553/1								
	493/1/2	0	05	45					
	490/1/2/3	0	01	00					
	485/4	0	02	10					
	485/1	0	07	15					
	487/1	0	01	50					
	482/3	0	00	45					
	452/2	0	03	95					
	483/1	0	04	55					
	483/2	0	04	05					
	483/3	0	00	51					
	485	0	04	65					
	481	0	02	50					

[स अ 12016/49/92 आ एम जी डी IV]

एम माटिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

SO 2018—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Kalol Field to Collector line in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner

SCHEDULE

Village	Survey No	Hecta e	Are	Centia e
1	2	3	4	5
Sag	976	0	02	45
	977	0	00	30

1	2	3	4	5	1	2	3	4	5
	980	0	03	50		472/4	0	13	05
	993	0	11	50		471/1/2	0	17	45
	1211	0	00	75		Cart track	0	00	85
	1210/2/1	0	02	75		561/1	0	04	10
	1216	0	00	10		561/2	0	00	60
	1212	0	00	75		561/4	0	00	65
	1213/1/2	0	07	45		561/7	0	00	25
	1214/1	0	03	50		561/8	0	01	40
	699	0	12	65		585/1	0	02	55
	697/A	0	04	20		585/3	0	03	70
	696/1	0	15	65		587	0	16	05
	690/1	0	02	95		Cart track	0	00	85
	690/2	0	00	85		776	0	03	20
	690/4	0	01	20		784	0	04	60
	690/5	0	00	20		783	0	00	75
	689	0	01	95		782	0	12	35
	688/3	0	00	16		780	0	03	35
	688/4	0	04	05		779	0	02	15
	691	0	11	65					
	680	0	05	85					
	Cart track	0	01	15					
	651/1A	0	02	95					
	654/1B	0	02	55					
	658	0	01	95					
	659/A/A B	0	00	14					
	659/2	0	01	65					
	659/3	0	01	00					
	659/1A-B	0	05	40					
	660/1	0	05	85					
	660/2	0	06	30					
	661/1	0	00	60					
	662/1	0	03	10					
	662/2	0	02	55					
	Cart track	0	01	45					
	559/1	0	02	90					
	539/2	0	02	90					
	541/1/2	0	03	15					
	542	0	10	65					
	547/2	0	05	15					
	547/3	0	02	75					
	547/1	0	02	45					
	548/3	0	03	35					
	548/1	0	03	05					
	548/2	0	03	85					
	552	0	06	55					
	553/1/2	0	17	65					
	553/3								
	493/1/2	0	03	35					
	490/1/2/3	0	01	00					
	498/4	0	02	10					
	488/1	0	07	15					
	482/1	0	01	50					
	482/3	0	00	45					
	482/2	0	03	05					
	483/1	0	04	55					
	483/2A B	0	04	05					
	482/3	0	00	54					
	135	0	01	65					
	484	0	02	50					
	476/1	0	00	75					
	476/2	0	01	20					
	476/3	0	00	40					
	462	0	15	55					
	463/1,2,3	0	00	45					

[N O-17010/19/9.-ONGD IV]
M. Martin, Desk Officer

नई दिल्ली, 11 जुलाई, 1962

श्री. श्री 019.—यह केन्द्रीय सरकार का यह प्रतीत होता है कि मार्वाहत में यह आवश्यक है कि गुजरात राज्य में कल्याण क्षेत्र में बनारस लाइन सह पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

आज मैं यह प्रयोग यहाँ है कि ऐसी लाइनों को बिछाये के प्रयोजन के लिए पाइपलाइन अनुपूर्वी में बनाया गूँघ में उपयोग का अधिकार लायने करना आवश्यक है।

अन्य अब पेट्रोलियम और खनिज पाइपलाइन (कूले में उपयोग के लिए) का निर्माण, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रस्तावित करने का प्रस्ताव करने हुए केन्द्रीय सरकार ने अन्तःकरण का अधिकार प्रविष्ट करने का प्रस्ताव अगले गुजरात धारित किया है।

यहाँ कि उत्तम क्षमि में द्वितीय कार्य प्रविष्ट, जो गुँघ के नीचे पाइपलाइन बिछाने के लिए आगे सक्षम प्राधिकारी को तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रस्ताव, महाराष्ट्र राज्य, बड़ोदा—9 का हय प्रविष्टीयता की तारीख से 21 दिना के भीतर कर सक्षम।

आज ऐसा आदेश करने वाला हर व्यक्ति निर्दिष्ट है यह जो बंधन प्रयोग की बना वह चाहता है कि उत्तम गुजरात केन्द्रीय राज्य से हो या किसी निम्न बावसायी की मार्कन

अनुपूर्वी

लगातार में अनुपूर्वी पाठ्य पाठ्य निम्नलिखित के लिए।

राज्य सरकार द्वारा मेहमाना तालिका प्रयोग

राज्य	वर्ष	ह	राज्य	रे
उत्तर	514/ए	0	21	00
	515	0	07	45
	512	0	02	12
	500	0	03	12

1	2	3	4	5
	810	0	11	46
	794	0	07	50
	793	0	02	55
	795	0	11	50
	789	0	12	10
	788	0	14	10
	787	0	00	25
	760	0	08	50
	काटेड्रेक	0	00	70
	608	0	06	70
	609	0	00	45
	610	0	03	80
	615	0	04	30
	613	0	09	85
	614	0	00	98
	काटेड्रेक	0	01	30
	598	0	10	60
	599	0	20	50

[सं. ओ-12016/50/92 ओ एन जी डी IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2019.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Kalol Field to Collector line in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadedara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

1	2	3	4	5
Island	814/A	0	21	00
	813	0	07	95
	812	0	02	82
	809	0	00	12
	810	0	11	46
	794	0	07	50
	793	0	02	55
	795	0	11	50
	789	0	12	10
	788	0	14	10
	787	0	00	25
	760	0	08	50

1	2	3	4	5
	Cart track	0	00	70
	608	0	06	70
	609	0	00	45
	610	0	03	80
	615	0	04	30
	613	0	09	85
	614	0	00	98
	Cart track	0	01	30
	598	0	10	60
	599	0	20	50

[N.J. O.—12016/50/92—O.N.G.D.-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. मा. 2020 --यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एन. 5 से जी. जी. एन. 6 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अग्रतः आग्रह एतद्वारा घोषित किया है।

वशतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोडा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा की क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधी व्यवसायी की मार्फत।

अनुसूची

जी. जी. एन. 5 से जी. जी. एन. 6 तक पाइप लाइन बिछाने के लिए
राज्य : गुजरात जिला : मेहसाणा तालुका : कनोज

गांव	सर्वे.	हे.	आर.	सं.
छन्नाल	322	0	22	00
	315/ 2	0	00	22
	314	0	06	98
	313	0	12	65
	315 /1	0	00	15
	312	0	03	90
	310	0	04	60
	309	0	07	40

[सं. ओ-12016/51/92-ओ. एन. जी. डी. IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

अनुसूची

S.O. 2020.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS V to GGS VI in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS V to GGS VI in Kalol Area.

State : Gujarat District : Mehsana Taluka : Kalol

Village	Survey No.	Hect.	Are	Cent
Chhatral	322	0	22	00
	315'2	0	00	22
	314	0	06	98
	313	0	12	65
	315 1	0	09	15
	312	0	03	90
	310	0	04	60
	309	0	07	40

[No. O-12016/51/92 ONGD. IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. प्रा. 2021—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एम V से जी. जी. एम VI तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाठ अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः प्रब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उम्में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा -9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी ध्यान करेगा की क्या यह वह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यक्तिसायी की मार्फत।

जी. जी. एम. 5 से जी. जी. एम. 6 तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : मेहसाना तालुका : कडो

गांव	ब्लॉक नं०	हे.	आर.	से.
पानसर	1520	0	07	05
	1519	0	07	55
	1523	0	02	20
	1538	0	15	60
	1536	0	03	90
	120	0	15	30
	121	0	04	00
	122	0	04	60
	123	0	00	84

[No. 12016/52/92 ओ एन जी डी IV]

एम मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2021.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS V to GGS IV in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS V to GGS VI in Kalol Area.

State : Gujarat District : Mehsana Taluka : Kadi

Village	Block No	Hect.	Are	Cent.
Pansar	1520	0	07	05
	1519	0	07	55
	1523	0	02	20
	1538	0	15	60
	1536	0	03	90
	120	0	15	30
	121	0	04	00
	122	0	04	60
	123	0	00	84

[No. O. 12016/52/92 ONGD IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. शा. 2022.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एस. VI से जी. जी. एस. VII तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एन्डोवाइड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः यह पेट्रोलियम और खनिज पारिपक्वायन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एन्डोवाइड घोषित किया है।

वर्णन कि उक्त भूमि में हितबद्ध कोई व्यक्ति; उस भूमि के नीचे पारिपक्वायन बिछाने के लिए आशय समझ प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण, और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी. जी. एस. VI से जी. जी. एस. VII तक पारिपक्वायन बिछाने के लिए।

राज्य : गुजरात जिला : महसारा तालुका : केकरी

गांव	सर्वे नं.	हे.	आ.	से.
चडासन	416	0	17	15

[सं. 12016/53/92 ओ. एन. जी. डी. IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2022.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS VI to GGS VII in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from GGS VI to GGS VII in Kadi Field.

State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No.	Hectare	Are	Centiare
Chadasan		416	0	17 15

[सं. 12016/53/92 ओ. एन. जी. डी. IV]

M. MARTIN Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. शा. 2022.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में चोकारो टो बिन्दु से उडेराल तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एन्डोवाइड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः यह पेट्रोलियम और खनिज पारिपक्वायन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस उपयोग का अधिकार अर्जित करने अपना आशय एन्डोवाइड घोषित किया है।

वर्णन कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आशय समझ प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

चोकारो टो बिन्दु से उडेराल तक पारिपक्वायन बिछाने के लिए।
राज्य : गुजरात जिला : वडोदरा तालुका : पादरा

गांव	ब्लॉक नं.	हे.	आ.	सेंटी
चोकारो	330/ए	00	01	00
	331	00	16	20
	316	00	11	64
	317/2	00	10	07
	343	00	04	00
	315	00	02	70
	314	00	06	30
	313	00	03	00
	225	00	10	50
	224	00	13	60
	223	00	11	60
	221	00	09	70
	209	00	00	10
	210	00	02	51
	213	00	19(19)	70
	212	00	00	75
	214	00	15	00

[सं. 12016/54/92 ओ. एन. जी. डी. VI]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2023.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Chokari T Point to Undera in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to —

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Chokari 'T' Point to Undera
State : Gujarat District: Vadodara Taluka : Padara

Village	Block No.	Hect.	Are	Cent
Chokari	330/A	00	01	00
	331	00	16	20
	316	00	11	64
	317/2	00	10	07
	333	00	05	00
	315	00	02	70
	314	00	06	20
	313	00	03	00
	225	00	10	50
	224	00	13	60
	223	00	11	60
	221	00	09	70
	209	00	00	10
	210	00	02	51
	213	00	19(19)	70
	212	00	00	75
	214	00	15	00

[No. O. 12016/54/92 ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. भा. 2024.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पी डी ए एच से पादरा इ पी एस तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पादरा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 को उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि के हितवद्ध कोई व्यक्ति उस भूमि के नोन्ने पाइपलाइन बिछाने के लिए आक्षेप मसलम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदा-9 को इस अधिसूचना को तारोख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

अनुसूची

पी डी ए एच से पादरा इ पी एस तक पाइपलाइन बिछाने के लिए
राज्य—गुजरात जिला व तालुका—पादरा

गांव	ब्लॉक नं.	हे.	अर.	सेन्टी
पादरा	1257/1	0	08	32
	1257/2	0	08	06
	1257/3	0	07	28
	कार्ट ट्रेक	0	00	60
	1254	0	13	26
	1253	0	06	63
	1252	0	10	66
	कार्ट ट्रेक	0	01	04
	1166	0	16	64
	1118	0	16	60
	1119	0	10	68
	कार्ट ट्रेक	0	00	62
	1120	0	09	75
	1122	0	00	92
	1032/1	0	05	76
	कार्ट ट्रेक	0	04	88
	1031	0	00	96
	1032/2	0	01	02
	1029	0	02	69
	1028	0	08	06
	1027/1	0	03	54
	1027/2	0	04	00
	1041/1/2	0	12	35
	975	0	18	85
	974	0	06	25
	973	0	01	50
	963	0	04	94
	962	0	04	52
	961	0	11	05

[सं. ओ.—12016/55/92 ओ. एन. जो. डी. VI]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2024.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from PDAH to Padra EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Padra to Padra EPS.

State : Gujarat District Vadodra Taluka : Padra

Village	Block No.	Hectare	Area	Centiar
Padra	1257/1	0	08	32
	1257/2	0	08	06
	1257/3	0	07	28
	Cart track	0	00	60
	1254	0	13	26
	1253	0	06	63
	1252	0	10	66
	Cart track	0	01	04
	1166	0	16	64
	1118	0	16	60
	1119	0	10	68
	Cart track	0	00	62
	1120	0	09	75
	1122	0	00	92
	1032/1	0	05	76
	Cart track	7	04	88
	1031	0	00	96
	1032/2	0	01	02
	1029	0	02	69
	1028	0	08	06
	1027/1	0	03	54
	1027/2	0	04	00
	1041/1/2	0	12	35
	975	0	18	85
	974	0	06	25
	973	0	01	50
	963	0	04	94
	962	0	04	52
	961	0	11	05

[N. O-12016/55/92 ONGD. IV]

M. MARTIN, Desk. Officer

नई दिल्ली, 14 जुलाई, 1992

का. भा. 2025 :-यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पी डी ऐ एच से पावरा इ पी एस तक पेट्रोलियम को परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एन्डपाइंड थलसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रश्न) अधिनियम, 1962 (1962 का 50) की धारा 3 को उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

1825 GI/92—4

बसते कि जबतक भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के लीज पाइपलाइन बिछाने के लिए आक्षेप सभ्य प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और रखरखाव प्रभाग, मकरपुरा रोड, वडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति निर्दिष्टित: यह भी कथन करेगा कि क्या यह बहसार्हना है कि उसको सुनवाई प्रक्रिया शुरू हो या किसी अतिरिक्त व्यवसायी को मार्फत।

अनुसूची

कूप नं. पी डी. ऐ. एच. से पावरा ई. पी. ऐच. तक

पाइप लाइन बिछाने के लिए।

राज्य:—गुजरात

जिला:—वडोदरा

तालुका :— पावरा

गांव	ब्लॉक नं.	हेक्टेयर मात्र.	सेन्टायर	
1	2	3	4	5
खीगसा	139	0	08	68
	कार्ट ट्रैक	0	00	62
	138	0	12	22
	कार्ट ट्रैक	0	00	84
	155	0	06	50
	कार्ट ट्रैक	0	00	52
	156	0	14	30
	157	0	02	82
	173	0	00	95
	172	0	01	12
	171	0	00	92
	170	0	06	17
	169	0	02	34
	168	0	02	44
	167	0	03	12
	166	0	02	60
	165	0	14	04
	203	0	16	90
	कार्ट ट्रैक	0	00	65
	204	0	08	45
	205	0	07	54
	206	0	04	94
	207	0	10	40
	कार्ट ट्रैक	0	00	78
	328/ए	0	04	03
	328/ब	0	04	03
	329	0	00	85
	331	0	07	54
	335	0	09	62
	343	0	15	60
	342	0	00	92
	344	0	08	45
	कार्ट ट्रैक	0	00	65
	345		14	56
	346	0	12	65
	कार्ट ट्रैक	0	00	

[सं. पी-12016/55/92 अ.]

एस. माफि

New Delhi, the 14th July, 1992

नई दिल्ली 14 जुलाई, 1992

S.O. 2025.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from PDAH to Padra EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makerpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from well No. PDAH to Padra EPS.

State : Gujarat	District : Vadodara	Taluka : Padra		
Village	Block No.	Hectare	Ac.	Centia e
1	2	3	4	5
Sangama	139	0	08	58
	Cart track	0	00	52
	138	0	12	22
	Cart track	0	00	84
	155	0	06	50
	Cart track	0	00	52
	156	0	14	30
	157	0	02	82
	173	0	00	95
	172	0	01	12
	171	0	00	92
	170	0	06	12
	169	0	02	34
	168	0	02	44
	167	0	03	12
	166	0	02	60
	165	0	14	04
	203	0	16	90
	Cart track	0	00	65
	204	0	08	45
	205	0	07	54
	206	0	04	94
	207	0	10	40
	Cart track	0	00	78
	328/A	0	04	03
	328/B	0	04	03
	329	0	00	85
	331	0	07	54
	335	0	09	62
	343	0	15	60
	342	0	00	92
	344	0	08	45
	Cart track	0	00	65
	345	0	14	56
	346	0	13	65
	Cart track	0	00	65

[No. O. 12016/56/92-ONGD]
M. MARTIN, Desk Officer

का. भा. 2026.—यह: केन्द्रीय सरकार का यह प्रस्ताव होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पा. ई. ए.एस. के पावरा ई. पा. एस. तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जाना चाहिए।

और यह: यह प्रस्ताव होता है कि ऐसा लाइन को बिछाने के प्रयोजन के लिए एतद्प्रावर्त अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के लिये पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-3 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित, यह प्रमाणित करेगा कि क्या यह वह सही है कि उनका सुनवाई व्यक्तिगत रूप से ह. या किसी विधि व्यवसाय, को मार्फत।

अनुसूची

कूप नं. पी. ई. ए. सी. से पावरा ई. पा. एस. तक पाइप लाइन बिछाने के लिए।

राज्य:—गुजरात	जिला:—वडोदरा	तालुका: पावरा		
गांव	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टीयर
पावरा	1271	0	09	60
	1272/1	0	03	12
	1272/2	0	03	02
	काटे ट्रेक	0	01	30
	1157/3	0	07	25
	1157/6	0	05	26
	1157/5	0	05	40
	1159	0	10	66
	1134	0	05	04
	1133	0	20	96
	1020	0	06	76
	1021	0	09	88
	1022/1	0	16	46
	काटे ट्रेक	0	00	85
	1028	0	01	40
	1027/1	0	14	68
	1027/2	0	01	70
	977	0	03	38
	976	0	18	85
	973	0	11	70
	963	0	04	42
	962	0	04	03
	961	0	10	66

[मं. आ. — 12016/57/92/आ. एन. जी. सी. -IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2026.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from PDAH to Padra EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE.

Pipeline from Well No. P.a.1 & Padra EPS.

State : Gujarat District : Vadodara Taluka : Padra

Village	Block No.	Hectare	Are	Centiare
Padra	1271	0	09	60
	1272/1	0	03	12
	1272/2	0	03	02
	Cart track	0	01	30
	1157/3	0	07	28
	1157/6	0	05	26
	1157/5	0	05	46
	1159	0	10	66
	1134	0	05	04
	1133	0	20	96
	1020	0	06	76
	1021	0	09	88
	1022/1	0	16	46
	Cart track	0	00	85
	1028	0	01	40
	1027/1	0	14	68
	1027/2	0	01	70
	977	0	03	38
	976	0	18	85
	973	0	11	70
	963	0	04	42
	962	0	04	03
	961	0	10	66

[Na. O. 12016/57/92/O.N.G.D.-IV]

M. MARTIN, Desk Officer

नई दिल्ली: 14 जुलाई, 1992

का. अ. 2027.—प्रतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पी वी ए इ पी वी जी ए एन से पादरा इ पी एस तक पेट्रोलियम के परिवहन के लिये पादप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पादपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3

की उपधारा द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का प्रस्ताव आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पादपलाइन बिछाने के लिए आक्षेप सहित प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुसवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

पी वी ए इ, पी वी ए एन से पादरा इ पी एस एक एक पादप लाइन बिछाने के लिए।

राज्य:—गुजरात

जिला:— व तालुका:—बडोदरा

गांव	ब्लॉक नं.	हे.	मार.	सें.
मोकलपुरा	171/1	0	07	80
	171/2	0	03	64
	170/2	0	02	86
	170/1	0	00	50
	168	0	11	70
	169	0	04	42

[सं. ओ.—12016/58/92/ओ. एन. जी. डी.-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2027.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from PDAH to Padra EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from PAD E & PDAF to Padra EPS

State : Gujarat District & Taluka : Vadodara

Village	Block No.	Hect.	Are	Cent
Gokalpura	171/1	0	07	80
	171/2	0	03	64
	170/2	0	02	86
	170/1	0	00	50
	168	0	11	70
	169	0	04	42

[No. O. 12016/58/9-ONGD. IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. मा. स. 2028.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पी डी ए इ, पी डी ए एफ से पावरा इ पी एस तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडीवा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

पी डी ए इ और पी डी ए एफ से पावरा इ पी एस तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात विभाग—तालुका—वडोदरा

गांव	ब्लॉक नं.	हे.	आर.	सें.
हिंगलोट	98	0	00	16
	99/बी	0	00	16
	97	0	06	50
	96	0	02	54

[सं. ओ.—12016/59/92—ओ. एन. पी. डी. IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2028.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from PDAE, PDAF to Padra EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from PDAF & PDAF to Padra EPS

State : Gujarat District & Taluka : Vadodara

Village	Block No.	Hectare	Are	Cent
Hingalot	98	0	00	16
	99/B	0	00	16
	97	0	06	50
	96	0	02	54

[No. O-12016/59/92-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. मा. स. 2029.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में चोकारी टी विन्डु से उडेरु तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस के आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडीवा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

मसुदा

New Delhi, the 14th July, 1992

चोकरी टी बिन्दु से उडेश तक पार्श्व लाईन बिछाने के लिए 1(नया)

राज्य—गुजरात

जिला व तालुका—वडोदा

गांव	सर्वे न.	हे.	घार.	सेन्टी
1	2	3	4	5
एंकोडीया	कार्ट ट्रैक	0	02	50
	63	0	09	30
	62	0	03	50
	64	0	10	00
	61	0	02	00
	65	0	12	50
	66	0	09	20
	54	0	10	80
	55	0	04	80
	49	0	00	23
	कार्ट ट्रैक	0	05	80
	750	0	12	50
	कार्ट ट्रैक	0	02	55
	754	0	08	25
	753/1	0	10	25
	755	0	16	50
	756	0	02	55
	764	0	08	90
	763/1	0	02	60
	775	0	08	80
	774	0	14	55
	776	0	01	66
	777/1	0	09	65
	777/2	0	06	25
	778	0	03	08
	कार्ट ट्रैक	0	02	30
	780	0	04	25
	कार्ट ट्रैक	0	03	90
	665/1	0	04	92
	664	0	12	90
	662	0	13	20
	456	0	12	50
	455	0	00	10
	458	0	14	20
	460	0	18	40
	425	0	05	64
	462/1	0	12	90
	469	0	26	20
	473/1	0	01	30
	473/2	0	11	02
	471/1	0	01	30
	472	0	10	61
	486	0	14	70
	485	0	05	20
	487	0	05	00
	कार्ट ट्रैक	0	01	70

S.O. 2029.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Chokri T Point to Undera in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

Pipeline from Chokari to Undera (Revised)

State : Gujarat District & Taluka : Vadodara

Village	Survey No.	Hect.	Aro	Cent.
1	2	3	4	5
Ankodiya	Cart track	0	02	50
	63	0	09	30
	62	0	03	50
	64	0	10	00
	61	0	02	00
	65	0	12	50
	66	0	09	20
	54	0	10	80
	55	0	04	80
	49	0	00	23
	Cart track	0	05	80
	750	0	12	50
	Cart track	0	02	55
	754	0	08	25
	753/1	0	10	25
	755	0	16	50
	756	0	02	55
	764	0	08	90
	763/1	0	02	60
	755	0	08	80
	774	0	14	55
	776	0	01	66
	777/1	0	09	65
	777/2	0	06	25
	778	0	03	08
	Cart track	0	02	30
	780	0	04	25
	Cart track	0	03	90

[स. ओ.—12016/60/92—ओ. एन. जी. सी.—4]

एम. मार्टिन, डैस्क अधिकारी

1	2	3	4	5
	665/1	0	04	92
	664	0	12	90
	662	0	13	20
	456	0	12	50
	455	0	00	10
	458	0	14	20
	460	0	18	40
	425	0	05	64
	462/1	0	12	90
	469	0	26	20
	473/1	0	01	30
	473/2	0	11	02
	471/1	0	01	30
	472	0	10	61
	486	0	14	70
	485	0	05	20
	487	0	05	00
	Cart track	0	01	70

[No. 12016/60/92-ONGD/IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.प्रा. 2030—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में पी डी ए एच से पादरा ई पी एस तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, यतः, यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार प्रजित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आशेष समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीश-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कुशी नं. पी डी ए एच से पादरा ई पी एस तक पाइप लाइन बिछाने के लिए राज्य : गुजरात तालुका : राजिका-वडोदरा

गांव	ब्लॉक नं.	हे.	घर.	सें
समीयाला	655	0	08	32
	645/1	0	07	28
	644	0	04	55
कार्ट ट्रैक		0	00	78

[सं. ओ-12016/61/92/ओ एन जी डी.-4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2030.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from PDAH to Padra EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from Well No. P.D.A.H. to Padra E.P.S.
State : Gujarat, Distt. & Taluka : Rajika Vadodara.

Village	Block No.	Hect.	Are	Cent.
Samiyala	655	0	08	32
	645/1	0	07	28
	644	0	04	55
Cart track		0	00	78

[No. O-12016/61/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.प्रा. 2031—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन जी वार्ड से ई पी एस तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, यतः, यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार प्रजित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आशेष समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीश-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी.एन.जी. वार्ड से ई पी एस तक पाइप लाइन बिछाने के लिए				
राज्य : गुजरात		जिला : भद्रक	तालुका : वडोदरा	
गांव	ब्लॉक नं.	हे.	घर.	सेंटीमीटर
गंधार	322/ए/बी	02	14	76

[सं. ओ.-12016/62/92/ओ एन जी डी-1V]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O 2031—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GNGY to EPS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline GNGY to E.P.S.

State : Gujarat District Bharuch Taluka : Vagra.

Village	Block No.	Hect	Are	Cent.
Gandhar	322/A/B	02	14	76

[No. O-12016/92/ONGD/IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का आ 2031—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में डब्ल्यू डब्ल्यू टी पी से डाडर नदी तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यह, यह प्रतीत होता है कि ऐसी साधनों को बिछाने के प्रयोजन के लिए आवश्यक भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अतः, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना अग्रणी एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोडा-390009 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुमवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अधिसूची

डब्ल्यू डब्ल्यू टी पी से डाडर नदी तक पाइप लाइन बिछाने के लिए

राज्य गुजरात	जिला : वडोडा	तालुका : वाग्रा		
गांव	ब्लॉक नं.	हे	आर	सेंटीयर
1	2	3	4	5
चाचवेल	927	0	02	84
	928	0	09	36
	933	0	20	80

1	2	3	4	5
	754	0	14	56
	755	0	26	00
	758	0	24	93
	760	0	22	80
	761	0	09	36
	670	0	30	16
	669	0	06	50
		0	01	93
	665	0	24	72
	663	0	24	96
	648	0	21	84
	647	0	13	52
	500	0	28	08
	499	0	15	34
	493	0	41	60
	490	0	09	36
	488	0	04	96
	486	0	20	80
	366	0	17	68
	369	0	24	70
	368	0	11	44
	377	0	15	60
	291	0	21	84
	288	01	22	07

[म. अ-12016/63/92/ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O 2032—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from WWTP to Dadhar River in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner

SCHEDULE

Pipeline from WWTP to Dadhar River.

State : Gujarat District Bharuch Taluka : Vagra

Village	Block No.	Hectare	Are	Cent.
1	2	3	4	5
Chanchwell	927	0	02	84
	926	0	09	36
	933	0	20	80
	754	0	14	56

1	2	3	4	5
	755	0	26	00
	738	0	24	95
	760	0	22	80
	761	0	09	36
	670	0	30	16
	669	0	06	50
	Cart track	0	01	95
	665	0	24	72
	663	0	24	96
	648	0	21	84
	647	0	13	52
	500	0	28	08
	499	0	15	34
	493	0	41	60
	490	0	09	36
	488	0	04	96
	486	0	20	80
	366	0	17	68
	369	0	24	70
	368	0	11	44
	277	0	15	60
	291	0	21	84
	288	0	22	07

[No. O-12016/63/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.प्र. 2033.—यस: केन्द्रीय सरकार को यह प्रतीत होता है कि सोफिस्ट में यह आवश्यक है कि गुजरात राज्य में के.आई.ए.सी. से ई.एल.ए.ए. से एन.डब्ल्यू.एम. की तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और, यस: यह प्रतीत होता है कि ऐसी साधनों को बिछाने के प्रयोजन के लिए एन.डब्ल्यू.एम. अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) के द्वारा उ की उपधारा द्वारा प्रस्तुत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समझ अधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

के.आई.ए.सी. से ई.एल.ए.ए. से एन.डब्ल्यू.एम. की तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : भरुच	तालुका : हांसीट	गांव	ब्लॉक नं.	हे. आर. सेंटीयर
1	2	3	4	5	
	धामराड	400	0	21	06
		399	0	00	24
		402	0	14	17

1	2	3	4	5
	398	0	03	51
	404	0	27	95
	383	0	62	40
	338	0	05	33
	339	0	09	88
	340	0	14	17
	329	0	07	80
	344	0	24	05
	345	0	13	65
	347	0	13	69
	348	0	00	24
	310	0	04	94
	309	0	03	25
	305	0	35	62
	308	0	11	70
	306	0	24	57

[सं. ओ-12016/64/92/ओ.एन.जी.सी.-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2033.—Whereas it appears to the Central Government that it necessary in the public interest that for the transport of the petroleum from KIAC to ELAA to SWMB in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from KIAC to ELAA to SWMB.

State : Gujarat District : Bharuch Taluka : Hansot.

Village	Block No.	Hect.	Ar.	Cent.
1	2	3	4	5
Dhamrad	400	0	21	06
	399	0	00	24
	402	0	14	17
	398	0	03	51
	404	0	27	95
	383	0	62	40
	338	0	05	33
	339	0	09	88
	340	0	14	17
	329	0	07	80
	344	0	24	05
	345	0	13	65
	347	0	13	69
	348	0	00	24

1	2	3	4	5
	310	0	04	94
	309	0	03	25
	305	0	35	62
	308	0	11	70
	306	0	24	57

[No. O-12016/64/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.भा. 2034.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में नाडा-1 से जी एन एन तक पेट्रोलियम के परिवहन के निम्न पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाचक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बसने कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी मुनबार्ड व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नाडा-1 से जी एन एन तक पाइप लाइन बिछाने के लिए

गांव	ब्लॉक	हे.	घर	सेटीयर
मेटा	293/ए	0	10	20
	295	0	05	20
	294	0	06	85
	287	0	52	50
	286	0	31	50

[सं. ओ.-12016/65/92-ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2034.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Nada-1 to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

1825 CJ/92 S

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline From Nada-1 to GNAQ

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hect.	Are	Cent.
Vanseta	293/A	0	10	20
	295	0	05	02
	294	0	05	85
	287	0	52	50
	286	0	31	50

[No. O-12016/65/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.भा. 2035.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में नाडा-1 से जी एन एन तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाचक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बसने कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी मुनबार्ड व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नाडा-1 से जी एन एन तक पाइप लाइन बिछाने के लिए

गांव	ब्लॉक	हे.	घर	सेटीयर
कलक	532	0	10	00
	581	0	20	00

[सं. ओ.-12016/68/92-ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2035.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Nada-1 to GNAQ in

Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390 009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from NADA-1 to GNAQ

State : Gujarat Distt : Bharuch Taluka : Jambusar

Village	Block No.	Hect.	Are	Cent
Kalak	582	0	10	00
	581	0	20	00

[No. O-12016/66/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.पा. 2036.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में नाडा-1 से जी एन ए. क्यू तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए पतनपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय पतनपावद्ध घोषित किया है।

अर्थात् कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

नाडा-1 से जी एन ए. क्यू तक पाईप लाईन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर		
गांव	प्लॉक नं.	हे.	आर.	सेटीयर
1	2	3	4	5
बोलीया	218	0	09	75
	216	0	12	75
	220	0	44	10

1	2	3	4	5
232	0	05	25	
233	0	09	90	
237	0	26	10	
236	0	08	70	
242	0	20	25	
188	0	09	45	
186	0	06	60	
185	0	09	60	
181	0	07	05	
182+183	0	03	15	
काटे देक	0	02	70	
379	0	05	97	
380	0	09	61	
381	0	08	18	
378	0	13	37	
384	0	10	05	
394/ए	1	23	00	
392	0	54	00	
393	0	45	00	

[न. ओ-12016/67/92-ओ एन जी डी-4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2036.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Nada-1 to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from NADA-1 to GANG

State : Gujarat Distt : Bharuch Taluka : Jambusar

Village	Block No.	Hect.	Are	Cent.
Dolia	218	0	09	75
	216	0	12	75
	220	0	44	10
	232	0	05	25
	233	0	09	90
	237	0	26	10
	236	0	08	70
	242	0	20	25
	188	0	09	45
	186	0	06	60

1	2	3	4	5
	185	0	09	60
	184	0	07	05
	182 + 183	0	03	15
	Cart track	0	02	70
	379	0	05	97
	380	0	09	61
	381	0	08	18
	378	0	13	37
	384	0	10	05
	394/A	0	23	00
	392	0	54	00
	393	0	45	00

[No. O-12016/67/92-ONGD. IV]
M MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2037—यतः केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में नाडा-1 से जी एन ए. क्यू तक पेट्रोलियम के परिवहन के लिये पाइपलाइन लेव तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप मक्षम प्राधिकारी सेव तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ीदा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नाडा-1 से जी एन ए. क्यू तक पाइप लाईन बिछाने के लिए।

राज्य : गुजरात जिला : भरुच तालुका : जंबुसर

गांव	ब्लॉक नं	है.	घ्रा.	सेटीयर
1	2	3	4	5
नाडा	956	0	05	45
	968	0	04	50
	967	0	02	35
	966	0	01	03
	965	0	00	90
	948/पी	0	03	75
	948/पी	0	01	30
	1029	0	01	60
	1030	0	01	70
	1103	0	04	45
	1104	0	01	05
	1105	0	00	75
	1106	0	01	70

1	2	3	4	5
	1107	0	00	836
	1108	0	06	50
	1115	0	01	28
	1117	0	04	45
	1173	0	02	15
	1174	0	01	67
	1175	0	02	25
	1640	0	02	22
	1220	0	08	52
	1223	0	12	73
	1222	0	00	20
	1225	0	07	00
	1230	0	04	00
	1229	0	04	40
	1464	0	06	55
	1517	0	00	70
	1518	0	05	90

[स. ओ-12016/68/92-ओ एन जी बी-4]

एम. मार्टिन, ईस्क अधिकारी

New Delhi, the 14th July, 1992

S.O.2037.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Nada-1 to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vado-dara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

Pipeline from NADA-1 to GANQ

State : Gujarat Distt. : Bharuch Taluka : Jambusar

Village	Block No.	Hect.	Are	Cent.
1	2	3	4	5
Nada	956	0	05	45
	968	0	04	50
	967	0	02	35
	966	0	01	00
	965	0	00	90
	948/P	0	03	75
	948/P	0	01	30
	1029	0	01	60
	1030	0	01	70
	1103	0	04	45
	1104	0	01	05
	1105	0	00	75
	1106	0	01	70
	1107	0	00	83
	1108	0	06	50

1	2	3	4	5
	1115	0	01	28
	1117	0	04	45
	1173	0	02	15
	1174	0	01	67
	1175	0	02	25
	1640	0	02	22
	1220	0	08	52
	1223	0	12	73
	1222	0	00	20
	1225	0	07	00
	1230	0	04	00
	1229	0	04	40
	1464	0	06	55
	1517	0	00	70
	1518	0	05	90

[No. O-12016/69/92-ONGD.IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का. भा. 2038—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में नाडा-1 से जी एन ए क्यू तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा दत्त मनुसूची, में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः सब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति; उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सख्त प्राधिकारी टेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडीवा - 9 को इस अधिसूचना को तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

मनुसूची

नाडा - 1 से जी. एन. ए. क्यू तक पाइप लाइन बिछाने के लिए।

राज्य - गुजरात जिला - मरुच तालुका - जंबुसर

गांव	ब्लॉक नं.	हेक्टे.	घर.	सेन्टी.
1	2	3	4	5
इस्लामपुर	325	0	01	10
	330/ए	0	00	33
	326	0	05	82
	327	0	07	70
	328/ए	0	02	87
	368	0	16	84
	405	0	04	98
	406	0	04	92
	408	0	09	46

1	2	3	4	5
	409	0	04	62
	411	0	05	48
	412/पी	0	00	50
	412/पी	0	85	35
	1	0	00	15
	4/पी	0	08	10

[सं. ओ - 12016/69/92 - ओ एन जी डी - 4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2038.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Nada-1 to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra 390 009

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

PIPELINE FROM NADA-1 FO. GNAQ.

State : Gujarat District : Bharuch Taluka : Jambisar

Village	Block No.	Hectare	Are	Centi-are
Islampur	325	0	01	10
	330/A	0	00	33
	326	0	05	82
	327	0	07	70
	328/A	0	02	87
	368	0	16	84
	405	0	04	98
	406	0	04	92
	408	0	09	46
	309	0	04	62
	411	0	05	48
	412/P	0	00	50
	412/P	0	85	35
	1	0	00	15
	4/P	0	08	10

[No. O-12016/69/92-ONGD.IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. भा. 2039—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में नाडा - 1 से जी एन ए क्यू तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अधिपतियम और खनिज पादपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

यहाँ कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पादपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी से नया प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा - 9 का इस अधिमूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नाडा - 1 में जीएस एम्प तक पाईपलाइन बिछाने के लिए।

राज्य - गुजरात जिला - धरुच तालुका - जंबुसर

गाँव	प्लॉक नं०	हेक्टर	घर	सेन्टी
1	2	3	4	5
आसरसा	328	0	01	30
	329	0	01	00
	330	0	01	10
	331	0	02	00
	338	0	01	24
	339	0	03	70
	340	0	00	77
	341	0	00	50
	348	0	01	26
	353	0	00	10
	351	0	00	22
	350/ए/बी	0	05	70
	416	0	03	19
	415	0	05	25
	411	0	01	25
	413	0	01	87
	420	0	05	20
	411	0	00	09
	410	0	00	04
	409	0	03	60
कार्ट ट्रैक	0	01	60	
	489	0	01	91
	525	0	00	12
	524	0	00	06
	490	0	02	78
	523	0	00	80
	518	0	01	18
	517	0	00	55
	511	0	04	20
	513	0	00	35
	510	0	01	00
	511	0	04	00

1	2	3	4	5
	193	0	01	90
	196	0	05	40
	497	0	07	27
कार्ट ट्रैक	0	01	39	
	562	0	05	58
	563	0	00	27
	561	0	04	30
	566	0	04	30
कार्ट ट्रैक	0	02	61	
	724	0	05	93
	726	1	27	20
	509	0	01	19
	498	0	02	00
	560	0	00	50

[स ओ - 12016/70/92 - ओ एन जी डी-IV]

एम माटिन डैस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2039.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from NADA-1 to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto,

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadodra-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

PIPELINE FROM NADA-1 TO GNAQ.

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No	Hectare	Are	Centiare
1	2	3	4	5
Asarsa	328	0	01	30
	329	0	01	00
	330	0	01	10
	331	0	02	00
	338	0	01	24
	339	0	03	70
	340	0	00	77
	341	0	00	50
	348	0	01	26
	353	0	00	10
	351	0	00	22
	350 A/B	0	05	70

1	2	3	4	5
	416	0	03	19
	415	0	05	25
	414	0	01	25
	413	0	01	87
	420	0	05	20
	411	0	00	09
	410	0	00	04
	409	0	03	60
	Cart track	0	01	60
	489	0	01	91
	525	0	00	12
	524	0	00	06
	490	0	02	78
	523	0	00	80
	518	0	01	18
	517	0	00	85
	511	0	04	20
	513	0	00	35
	510	0	01	00
	512	0	01	00
	493	0	01	90
	496	0	05	40
	497	0	07	27
	Cart track	0	01	39
	562	0	05	58
	563	0	00	27
	561	0	04	30
	566	0	04	30
	Cart track	0	02	61
	724	0	05	95
	726	0	27	20
	509	0	01	19
	498	0	02	00
	560	0	00	p0

[No. O-12016/70/92-ONGD.IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जूलाई, 1992

का भा 2040—यह केन्द्रीय सरकार का यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में जो जी. एम. - 1 से जी जी एम - VI तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनएलएल अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आदेश एनएलएल द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में निम्नलिखित कोई व्यक्ति उस भूमि में निम्न पाइपलाइन बिछाने के लिए आक्षेप मजबूत प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा - 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

अतः ऐसा आदेश तब तक लागू रहेगा जब तक कि किसी व्यक्ति ने यह नहीं बताया कि वह चाहता है कि उसका सुपार्वर अधिनियम रूप में हो या किसी विधि व्यवस्था को मार्फत।

अनुसूची				
जी जी एम. - I से जी जी एम. VI तक पाइपलाइन बिछाने के लिए।				
राज्य - गुजरात		जिला व तालुका - गांधीनगर		
गांव	खता. नं.	हेक्टेयर	अर्रे	सेन्टीडर
1	2	3	4	5
मेरवार	2390	0	03	05
	2389	0	00	15
	2388	0	07	88
	2387	0	05	15
	कार्ट ट्रैक	0	02	45
	2442	0	00	96
	2443	0	03	20
	2445	0	07	15
	2447	0	04	15
	2446	0	00	30
	2451	0	03	05
	2452	0	04	70
	2454	0	00	75
	2455	0	10	35
	2456/ग/बी	0	01	05
	कार्ट ट्रैक	0	01	95
	2509	0	07	20
	2508	0	13	15
	2507	0	11	05
	2500	0	00	75
	2501	0	07	15
	2494	0	09	05
	2493	0	01	15
	2491	0	02	25
	2492	0	00	20
	2477	0	05	80
	2478	0	03	55
	2432	0	04	35
	2479	0	20	85
	2480	0	05	05
	2240	0	01	75
	2776/ग	0	03	45
	2726/बी	0	07	65
	2738	0	08	30
	2732	0	00	15
	2733	0	01	50
	2735	0	05	55
	कार्ट ट्रैक	0	02	15
	14	0	02	15
	13	0	01	30
	12	0	04	65
	11	0	06	95
	10	0	00	10
	9	0	06	80
	3	0	00	75
	8	0	03	15
	41/5/6	0	03	25
	23	0	07	05

1	2	3	4	5
	राईट ट्रेक	0	00	95
	668	0	01	20
	667	0	02	25
	675	0	03	85
	677	0	05	15
	676	0	00	20
	678	0	05	90
	679	0	04	65
	काट ट्रेक	0	10	50
	699	0	02	55
	702	0	01	10
	704	0	08	15
	705	0	06	75
	राईट ट्रेक	0	01	15
	706	0	10	55
	708	0	02	25
	709	0	01	75
	710	0	04	95
	711	0	03	95
	712	0	00	42
	713	0	03	30
	745	0	05	50
	747	0	04	95
	748	0	04	40
	काट ट्रेक	0	00	50
	760	0	02	60
	789	0	02	02
	राईट ट्रेक	0	05	04
	762	0	07	70
	763	0	08	70
	765	0	05	00
	801	0	05	10
	802	0	04	20
	799	0	00	45
	803	0	02	97
	804	0	00	16
	798/प/ब	0	08	80
	राईट ट्रेक	0	00	30
	805	0	04	60
	809	0	03	20
	808	0	09	50
	काट ट्रेक	0	00	40
	829	0	00	40
	831	0	10	55
	830	0	08	65
	2441	0	12	10

[स.ओ.—12016/71/9 - भा. 7 न. जो. जो. IV]

एम. मास्ति. ई.ए. अधिकारी

New Delhi the 14th July 1992

S.O. 2040—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS-I to GGS-VI in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to —

Now therefore in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road Vadorada 390 009

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner

SCHEDULE

PIPELINE FROM GGS I TO GGS VI IN KALOL

State Gujarat District & Taluka Gandhinagar

Village	Block No	Hectare	Are	Centiare
1	2	3	4	5
Sertha	2390	0	03	05
	2389	0	00	15
	2388	0	07	85
	2387	0	05	15
	Cart track	0	02	45
	2442	0	00	96
	2443	0	03	20
	2445	0	07	15
	2447	0	04	15
	2446	0	00	30
	2451	0	03	05
	2452	0	04	70
	2454	0	00	75
	2455	0	10	35
	2456/A/B	0	01	65
	Cart track	0	01	95
	2509	0	07	20
	2508	0	13	15
	2507	0	11	05
	2500	0	00	75
	2501	0	07	45
	2494	0	09	05
	2493	0	01	15
	2491	0	02	25
	2492	0	00	20
	2477	0	05	80
	2478	0	03	85
	2432	0	04	35
	2479	0	20	85
	2480	0	05	05
	2240	0	01	75
	2726/A	0	03	45
	2726 B	0	07	65
	2738	0	08	30
	2732	0	00	15
	2733	0	01	50
	2735	0	05	55
	Cart track	0	02	15
	14	0	02	15
	13	0	01	30
	12	0	04	65
	11	0	06	95
	10	0	00	10

1	2	3	4	5
9	0	06	80	
3	0	00	75	
8	0	03	15	
Cart track	0	02	25	
23	0	07	05	
Cart track	0	00	95	
668	0	03	20	
667	0	02	25	
675	0	03	85	
677	0	05	15	
676	0	00	20	
678	0	05	90	
679	0	04	65	
Cart track	0	10	50	
699	0	02	55	
702	0	01	10	
704	0	08	15	
705	0	06	75	
Cart track	0	01	15	
706	0	10	55	
708	0	02	25	
709	0	01	75	
710	0	04	95	
711	0	03	95	
712	0	00	42	
713	0	03	30	
745	0	05	50	
747	0	04	95	
748	0	04	40	
Cart track	0	00	50	
760	0	02	60	
759	0	02	02	
Cart track	0	05	04	
762	0	07	70	
763	0	08	70	
765	0	05	00	
801	0	05	10	
802	0	04	20	
799	0	00	42	
803	0	02	97	
804	0	00	16	
798/A/B	0	08	80	
Cart track	0	00	30	
805	0	04	60	
809	0	03	20	
808	0	09	50	
Cart track	0	00	40	
829	0	00	40	
831	0	10	55	
830	0	08	65	
2444	0	12	10	

[No. O-12016/71/92-ONGD. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का. प्रा. 2041.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एस. - 1 से जंकमन बिन्दु तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और इससे यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपायधन अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

10. अतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रजित) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसने उपयोग का अधिकार खनिज धरम का अधिनियम एतदुपाय प्रजित किया है।

बशर्ते कि उसमें भूमि में बिछाई कोई व्यक्ति उन भूमि के लिये पाइपलाइन बिछाने के लिए अर्जित। तेल। प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपरा रोड, बड़ोदा-9 को इस अधिनियम की तारीख के 21 दिनों के भीतर कर लेंगे।

और ऐसा आदेश करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेंगे कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी. जी. एस.- 1 से जंकमन बिन्दु तक कनीज क्षेत्र में पाइप लाइन बिछाने के लिए।

राज्य - गुजरात जिला व तालुका - गांधीनगर

गांव	प्लॉक नं.	हेक्टर.	घर.	सेन्टीयर
1	2	3	4	5
सेन्धा	कार्ट ट्रैक	0	01	95
	1202	0	18	50
	1201	0	00	40
	1206	0	00	08
	1205	0	03	75
	1207	0	06	60
	1208	0	09	75
	1209	0	01	80
	1210	0	04	15
	1189	0	00	42
	1211	0	09	80
	1187	0	00	85
	1212	0	18	83
	कार्ट ट्रैक	0	00	55
	1218	0	02	55
	1221	0	08	70
	1219/ए	0	01	95

[सं. ओ - 12018/72/92 - ओ एन जी डी - 4]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2041.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from GGS-I to Jn. Point in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquired that right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares it's intention to acquire the right of user therein

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

PIPELINE FROM GGS I TO JUNCTION POINT IN KALOL

State : Gujarat District & Taluka : Gandhinagar

Village	Block No.	Hectare	Are	Centiare
Sertha	Cart track	0	01	95
	1202	0	18	50
	1201	0	00	40
	1206	0	00	08
	1205	0	03	75
	1207	0	06	60
	1208	0	03	75
	1209	0	01	80
	1210	0	04	15
	1189	0	00	42
	1211	0	09	80
	1187	0	00	85
	1212	0	18	85
	Cart track	0	00	55
	1218	0	02	55
	1221	0	08	70
	1219/A	0	01	95

[No. O-12016/72/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का. भा. 2042:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में कलोल क्षेत्र से कलेक्टर लाइन तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्प्राबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने इसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप समझ प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकर पुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

1825 GI/92—6

अनुसूची

कलोल क्षेत्र में एफ्लुएन्ट कलेक्टर लाइन बिछाने के लिए।

राज्य - गुजरात जिला व तालुका - गांधीनगर

गांव	सर्वे नं.	हेक्टा.	आर.	सेन्टी.
1	2	3	4	5
उवारसद	1064/4	0	09	90
	1064/5	0	08	45
	1064/2	0	01	60
	1065	0	11	40
	1116	0	16	80
	1118	0	01	70
	1117	0	05	60
	1114	0	10	00
	1109/1	0	40	60
	1108	0	03	35
	1109/2	0	13	40

[सं. ओ - 12016/73/92 - ओ एन जी सी - IV]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2042.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of the petroleum from Kalol Field to Collector line in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal Practitioner.

SCHEDULE

PIPELINE FOR EFFLUENT COLLECTOR IN KALOL FIELD

State : Gujarat District & Taluka : Gandhinagar

Village	Survey No.	Hectare	Are	Centiare
Uwarsad	1064/4	0	09	90
	1064/5	0	08	45
	1064/2	0	01	60
	1065	0	11	40
	1116	0	16	80
	1118	0	01	70
	1117	0	05	60
	1114	0	10	00
	1109/1	0	40	60
	1108	0	03	35
	1109/2	0	13	40

[No. O-12016/73/92-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.भा. 2043.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए आन्ध्र प्रदेश में पाइप लाइन परियोजना के अंतर्गत पासलंपुडि-9 से पासलंपुडि-8 तक तेल और प्राकृतिक गैस आयोग द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त पर प्रयोक्ता का अधिकार ग्रहण करने की आज्ञा की घोषणा करती है।

जहाँ कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी तेल और प्राकृतिक गैस आयोग, के.जि. प्रोजेक्ट, भूसेकरणा, कार्यालय, राजमंघ्रि, आंध्रप्रदेश में दर्ज कर सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधिव्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

आर.ओ.यू. गैस पाइप लाइन पासलंपुडि-9 से पासलंपुडि-8
पूरब गोदावरी जिला

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल हेक्टेयर्स एकड़ में
(1)	(2)	(3)	(4)	(5)
पूरब गोदावरी	अमलापुरम	पेरुलू	38/5 बी 1	0.025
			38/5 डी 3	0.030
			38/5 डी 1	0.010
			38/6 बी	0.055
			38/6 2बी 2	0.010
			38/5 बी 1	0.055
			57/2 सी 2	0.075
			49/8 ए	0.235
			571/1 बी 2	0.120
			56/2 ए 2	0.055
			2 बी 2	0.075
			3 बी	0.090
			240/3 बी	0.110
			4 बी	0.095
			49/3 ए	0.095
			55/2	0.020
			49/9 ए	0.025
			282/1 बी 1	0.095
			1 ए	0.090
			2 बी	0.035
			283/1 सी 2	0.140
			283/ए 1	0.045
			1 बी 2	0.045
				1.630

(1)	(2)	(3)	(4)	(5)
			245/3 बी	0.110
			2 सी	0.110
			245/2 बी	0.040
			245/5 बी 2	0.060
			245/5 बी	0.040
			241/4 ए 2	0.130
			241/4 बी 2	0.075
			241/5 बी	0.025
			58	0.020
			240	0.020
2.260 हेक्टार्स				
या				
5.58 ऐकड़				

[सं.ओ-12016/74/92-ओ.एन.जी.डी. IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2043.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from PASARLAPUDI 9 to PASARLAPUDI-8 in A.P. State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 the Central Government hereby declare its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, K.G.R. Project Rajahmundry (533 103).

And every person making such an objection shall also state specifically where he wishes to be heard in person or by legal practitioner.

SCHEDULE

ROU Gas Pipe Line, From Pasarlapudi 9 to Pasarlapudi 8 in East Godavari District.

District	Mandal	Village	Survey Nos.	Area (in Hectares Acres)
1	2	3	4	5
East	Amala-	Peruru	38/5B1	0.025
Godavari	puram		38/5D3	0.030
District			38/5D1	0.010
			38/6B	0.055
			38/62B2	0.010
			38/5B1	0.055

1	2	3	4	5
			57/2C2	0.075
			89/8A	0.235
			57/1B2	0.120
			56/2A2	0.055
			2B2	0.075
			3B	0.090
			240/3B	0.110
			4B	0.095
			49/3A	0.095
			55/2	0.020
			49/9A	0.025
			282/1B1	0.095
			1A	0.090
			2B	0.035
			283/1C2	0.140
			283/A1	0.045
			1B2	0.045
			245/3B	0.110
			2C	0.110
			245/2B	0.040
			245/5B2	0.060
			245/5B	0.040
			241/4A2	0.130
			241/4B2	0.075
			241/5B	0.025
			58	0.020
			240	0.020

2.260

Hectares

or

5.58

Acres

[No. O-12016/74/92/ONGD.IV]

M. MARTIN, Desk Officer

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2044:—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए आन्ध्र प्रदेश में पाइप लाइन परियोजना के अंतर्गत पोरी 2 से इपीएस पोरी तक तेल और प्राकृतिक गैस आयोग द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा को घोषणा करती है।

अर्थात् कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, तेल और प्राकृतिक गैस आयोग, के.जि. प्रोजेक्ट, भूसंकरणा, कार्यालय, राजमंदिर, आन्ध्र प्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

षेड्यूल

आर ओ यू लाइन मोरी-2 से इ पी एस मोरी

जनपद	मंडल	गांव	सर्वे नं.	हेक्टार्स/एकर्स			
(1)	(2)	(3)	(4)	(5)			
पूरब गोदावरी	सखिनेटिपल्ली	केसवदासुपालेम	148/1 बी 2 } 3बी }	0.085			
			148/3 सी पीटी } 149/1 पीटी } 2 पीटी }	0.070			
			149/2 पीटी	0.045			
			149/2 पीटी	0.050			
			150/4 पीटी	0.030			
			150/5 पीटी	0.085			
			151/1 पीटी } 2 पीटी } 3 पीटी } 4 पीटी }	0.115			
			151/5 पीटी } 6 पीटी }	0.040			
			151/6 पीटी } 9 पीटी }	0.045			
			151/9 पी टी }				
			152/1 पी टी }	0.075			
			152 पीटी	0.025			
			152 पीटी	0.025			
			152/1 पीटी	0.050			
			152/2 पीटी	0.090			
			152/3 पीटी	0.055			
			152/4 पीटी	0.010			
			153 पीटी	0.010			
							0.905

(1)	(2)	(3)	(4)	(5)
		बी एफ		0.905
		155 पीटी		
		167 पीटी		0.130
		168/5 पीटी		
		155/1 पीटी		0.055
		155/1 पीटी		
		157/4 पीटी		0.115
		155/2 पीटी		0.020
		155/3 पीटी		
		4 पीटी		0.020
		167/1 पीटी		0.030
		168/3 पीटी		
		4 पीटी		0.085
		155/2 पीटी		0.020
				1.380 हैक्टर
				या
				3.40 एकड़

[सं. ओ. 12016/75/92-ओ एन जी डी IV]

एम. माटिन, डैस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2044.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NOR1-2 to EPS NOR2 in A. P. State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the scheduled annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of Users in the land) Act, 1962 the Central Government hereby declare its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, construction & Maintenance Division, K.G.R. Project Rajahmundry (533 103).

And every person making such an objection shall also state specifically where he wishes to be heard in person or by legal practitioner.

SCHEDULE

R.O.U. Line From Mori 2 to EPS Mori

District	Mandal	Village	Survey Nos.	Area in Hect Acres	
1	2	3	4	5	
East Godavari District	Saksham Palle	Kesavadasa palem	148, 1B23B	0.085	
					0.905
					B.R.
					155 Pt } 0.905
					167 Pt } 0.130
					168/5 Pt } 0.055
					155/1 Pt } 0.055

4	5	4	5
155/1 Pt } 157/4 Pt }	0.115	155/2 Pt	0.020
155/2 Pt	0.020		1.380
155/3 Pt } 4 Pt }	0.020		Hec.
167/1 Pt	0.030		Or
168/3 Pt } 4 Pt }	0.085		AC 3.40

[No. O—12016/7592/ONGD.IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2045.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि पेट्रोलियम पदार्थ एवं प्राकृतिक गैस लाने के लिए आन्ध्र प्रदेश में पाइपलाइन परियोजना के अंतर्गत चिन्तलपल्ली 1 से 14" टी पाइन्ट तक तेल और प्राकृतिक गैस आयोग द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उम कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्र सरकार एतद्वारा उम पर प्रयोक्त का अधिकार ग्रहण करने की अंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकार तेल और प्राकृतिक गैस आयोग प्रोजेक्ट, भूसंस्करण, कार्यालय, राजमंदिर, आन्ध्रप्रदेश में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधिव्यवसाय के माध्यम से अपना मत प्रस्तुत करना चाहता है।

अनुसूची

गर.ओ.यू. लाइन चिन्तलपल्ली 1 से 14" टी पाइन्ट

जनपद	तहसील	ग्राम	सर्वे न.	क्षेत्रफल हेक्टेयर्स एकड़ में	विवरण
(1)	(2)	(3)	(4)	(5)	(6)
पूरुब गोदावरी	राजोल	शिवकोड	349/पीटी	0.050	
			350/2 पीटी	0.950	
			350/3	0.050	
			440/2 पीटी } 440/4 }	0.070	
			440/6	0.070	
			441/पीटी	0.170	
			442 पीटी	0.070	
			442/3 पीटी	0.100	
			444 पीटी	0.010	
				0.015	
			448/3	0.090	
			531/पीटी	0.245	
				0.990	हेक्टेयर्स
				2.44	हेक्टेयर्स

[सं. ओ. 1201/6/76/92-ओ एन जी को- IV]

एम. मार्टिन, डेस्क अधिकार

New Delhi, the 14th July, 1992

S.O. 2045.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Chintalapali I to 14" T point in A. P. State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the scheduled annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the petroleum and Minerals pipelines (Acquisition of Right of User in the land) Act, 1962 the Central Government hereby declare its intention to acquire the right of user therein.

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, construction & Maintenance Division K. G. R. Project Rajahmundry (533 103).

And every person making such an objection shall also state specifically where he wishes to be heard in person or by legal practitioner.

SCHEDULE

R.O.U Line from Chintalapalli I to 14" T. Point.

District	Mandal	Village	Survey Nos.	Area (in Hect Acres)
East				
Godavari	Razole	Sivakodu	349/Pt	0.050
			350/2 Pt	0.050
			350/3	0.050
			440/2 Pt	0.070
			440/4	
			440/6	0.070
			441 Pt	0.170
			442 Pt	0.070
			442/3 Pt	0.100
			444 Pt	0.010
			444 Pt	0.015
			448/3	0.090
			531 Pt	0.245
				0.990
				Hectars
				Or
				2.44
				Acres

[No. O—12016/76/92—ONGD. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का प्रा. 2046 —यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि असम राज्य में बड़हील से गेल की तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तैल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिये।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पदार्थ लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय

सरकार ने उसमें उपयोग का अधिकार अर्जित करने का प्रस्ताव आयोग एतद्वारा प्रेषित किया है।

बताते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आयोग उपायुक्त, सिबसागर/ओरछाट, असम के कार्यालय में इस अधिसूचना की तारीख के 21 दिनों के भीतर नर मकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिश्चित: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई विलम्ब हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर ओ. यू. बड़हील से गेल की डब्ल्यू-ई-एस.

राज्य	असम	जिला	सिबसागर	तालूक	—आठ खेल	
	ग्राम	सर्वे नम्बर	हेक्टर	ऐरे	वर्ग फीट	
गेल की ग्रान्ट न. 1		3/ख	0	4	55	
		6/ख	0	16	19	
		77/ख	0	97	81	

[सं. ओ 12016/77/92-ओ. एन. गे. .) IV
एम. मार्टिन डेस्क ऑफिसर

New Delhi, the 14th July, 1992

S.O. 2046.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from ROU Borhill to Geleki WIS in Sibsagar Distt., Assam, Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed here to.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Govt. hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz. the Deputy Commissioner, Sibsagar, Assam.

And every person making such an objection shall also state specifically where he wishes to be heard in person or by legal practitioner.

SCHEDULE

R.O.U. From Borhill to Geleki Ws.

State : Assam	Dist. Sibsagar	Taluk : Athkhel		
Village	Survey No.	Hectare	Are	Centiare
1	2	3	4	5
Geleki Grant	3/Kha	0	4	55
No. 1	6/Kha	0	16	19
	77/Kha	0	97	81

[No. O—12016/77/92/O.N.G.D. IV]
M. MARTIN, Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का प्रा. 2047 यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि असम राज्य में बड़हील से गेल की डब्ल्यू आई एस. तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तैल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिये।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के मीचे पाइप लाइन बिछाने के लिये आशय उपायुक्त, शिवसागर/जोरहाट, असम के कार्यालय में इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

भार. जो. प. बड़हाल से गेलकी डबल पाई. एस तक

राज्य—असम	जिला—शिवसागर: तालूक—घाटखेल	ग्राम	सर्वे नम्बर	हेक्टर	ऐरे	सेटीऐरे—
आधुरिया खन्-1	663/ख	2	04	95		

[स 11027/24/90—ओ एन जी डी III/IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2047.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Borhill to Geleki WIS in Sibsagar Distt., Assam, Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the scheduled annexed hereto.

Now, therefore, in exercise of the powers conferred by sub section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Govt. hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, viz. the Deputy Commissioner, Sibsagar, Assam.

And every person making such an objection shall also state specifically where he wishes to be heard in person or by legal practitioner.

SCHEDULE

R.O.U. FROM BORHILL TO GELEKI WIS

State : Assam Dist. : Sibsagar Taluk : Athkhal

Village	Survey No.	Hectare	Are	Centiare
Adpuria Gaon Part-IV	663/Kha	2	04	95

[No. 11027/44/90—ONGD.III/IV]

M. MARTIN Desk Officer.

नई दिल्ली, 14 जुलाई, 1992

का.प्र. 2048:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में नाडा-1 ने जी.एन.ए. ब्यू तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूचि में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962, (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशय सख्त प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9, को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

नाडा-1 से जीएन ए ब्यू तक पाईप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला—भरुच	तालुका—जाम्बुसर	गांव	ब्लॉक नं.	हे	आर	सेटी
			कलक	582	0	10	00
				581	0	20	00

[स प्र. 11023/52/90—ओ एन जी डी III/IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2048.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Nada-1 to GNAQ in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire that right of user in the land described in the schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Govt. hereby declares its intention to acquire the right of user therein.

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390 009.

And every person making such an objection shall also state specifically where he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPE LINE FROM NADA-1 TO GNAQ.

State : Gujarat District : Bharuch Taluka : Jaumbar

Village	Block No.	Hectare	Are	Centiare
Kalak	582	0	10	00
	581	0	20	00

[No.-O. 11027/52/90—ONGD.III/IV]

M. MARTIN, Desk Officer.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 15 जुलाई, 1992

का.भा. 2049 --केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिकारियों की बेखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नोबे की अनुमति के सम्म (1) में उल्लिखित अधिकार का, जो कानून प्राधिकरण का एक अधिकारी है, और सरकार के राजस्व अधिकारियों को पंक्ति में सम्पूर्ण अधिकार है, उक्त अधिनियम के प्रयोजन के लिए संघदा अधिकारी नियुक्त करती है, जो उक्त अनुमति के सम्म (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट प्रवर्गों के सरकारी स्थानों के संबंध में अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन संघदा अधिकारियों को दत्त शक्तियों का प्रयोग और उस पर अधिरोपित कर्तव्यों का पालन करेगा।

अनुमति

अधिकारी का पदनाम सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं

(1)	(2)
अनार्यमिका प्रबंधक, बोंगाईगांव रिफाइनरी एंड पेट्रोकेमिकल्स लिमिटेड, डाकघर बोंगाईगांव, जिला बोंगाईगांव, असम, पिन कोड-783385	बोंगाईगांव रिफाइनरी एंड पेट्रोकेमिकल्स लिमिटेड के प्रशासनिक निष्पन्न के अधीन उसके प्रधान कार्यालय, डाकघर बोंगाईगांव, जिला बोंगाईगांव, असम, पिन कोड-783385 में स्थित सभी सरकारी स्थान

[फा.सं. 31027/20/91-डी.ओ. (आर.)]

कुलदीप सिंह, सचिव सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 15th July, 1992

S O 2049—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Schedule below, being an officer of the Government to be estate officer for the purpose of the said Act who shall exercise the power conferred and perform the duties imposed on the estate officer by or under the said Act within the local limits of his jurisdiction in respect of the categories of public premises specified in the corresponding entry in column (2) of the said Schedule :—

SCHEDULE

Designation of the officer	Categories of Public premises and local limits of jurisdiction
(1)	(2)
Additional Personnel Manager Bongaigaon Refinery and Petrochemicals Limited, P.O. Dhaligaon, District Bongaigaon, Assam Pin Code-783385	All public premises under the administrative control of Bongaigaon Refinery and Petrochemicals Limited at Head Office, P.O. Dhaligaon, District Bongaigaon, Assam Pin Code-783385

[File No. 31027/20/91-EO(R)]

KULDIP SINGH, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 2 जुलाई, 1992

का. भा. 2050 --औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार जिलिंग लोंगालोटा ग्रायर्स माईन्स आफ मै. एस. लाल एंड कं. लि. बम्बिल के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, भुवनेश्वर के पंच-पट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-91 को प्राप्त हुआ था।

[संख्या एल-26011/8/80-डी-III (बी)]

बी. एम. डेविड, डेस्क अधिकारी,

MINISTRY OF LABOUR

New Delhi, the 2nd July, 1992

S.O. 2050.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Bhubaneswar as shown in the Annexure in the industrial dispute between the employers in relation to the management of 1825 GI/92—7

Jilling Longalota Iron Mines of M/s. S. Lal and Co. Ltd., Barbil and their workmen, which was received by the Central Government on 1-7-1992.

[No. L-26011/8/80-D.III (B)]

B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR
PRESENT :

Sri R. K. Dash, LL.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

Industrial Dispute Case No. 9 of 1980 (Central)

Bhubaneswar, the 23rd June, 1992

BETWEEN

The Management of Jilling Longalota Iron Mines of M/s. S. Lal and Co. Ltd., Barbil (subsequently renamed as M's. Essel Mining and Industries Ltd.).
... First Party-management.

AND

Their workman Smt. Mali Dei represented through North Orissa Workers Union, P.O. Rourkela-12, Dist.

Sundergarh.

... Second Party-workman.

APPEARANCES

Sri K. K. Sen Gupta, Legal Asst.—for the first party-management.

Sri B. S. Pati, General Secretary of the Union—for the second party-workman.

AWARD

This is a reference made by the Central Government u/s 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) for adjudication of the dispute as to whether the action of the management of M/s. S. Lal and Co. (subsequently re-named as M/s. Essel Mining and Industries Ltd.), owner of Jiling Longalota Iron Mins denying employment to Smt. Mali Dei, Water Carrier w.e.f. 12-10-79 is justified.

2. It is needless to make a reference to the pleading of the parties as because the same have been succinctly stated by this Tribunal in the earlier order dated 7-3-87.

On filing of the written statement by the parties, hearing on merit was taken up. While challenging the maintainability of the reference the management pleaded that Smt. Mali Dei was never employed as a workman under it. On an appraisal of the evidence adduced by the parties, this Tribunal while deciding the reference maintainable held that the workman was an employee of the management and that she was refused of employment. However, the reference could not be fully and finally disposed of and award passed as evidence was lacking as to whether the workman had been gainfully employed subsequent to her disengagement. Feeling aggrieved by this order the management moved the Hon'ble High Court in a writ which was dismissed in 1991. As the Hon'ble High Court directed to dispose of the case within three months from the date of appearance of the parties, they were given opportunity to lead evidence on the question of gainful employment. As the management did not turn-up the workman gave evidence whereafter argument was heard and date was fixed for passing award. Subsequently the management appeared and prayed to allow it to participate in the hearing before passing award. Having heard the parties order was passed allowing the management to have its say before final adjudication of the dispute. Thereafter the management cross-examined the workman examined earlier and also examined one witness on its behalf.

3. It is contended on behalf of management that in view of the observation of the Hon'ble Supreme Court this Tribunal ought to have allowed it to lead evidence both on the question of maintainability of the reference as well as on merit. That having not been done all the issues involved in the reference cannot be answered in either way. I am not prepared to accept such contention of the management for the reasons set-out below.

The finding dated 7-3-87 of this Tribunal on two issues as aforesaid was challenged by the management in the Hon'ble High Court by way of writ. Having heard the parties, their Lordships refused to interfere with the findings and dismissed the writ. Against the said order of the Hon'ble Court, the management filed a special leave petition before the Apex Court. From the xerox copy of the order of the Hon'ble Supreme Court, it transpires that the management withdrew the said special leave petition. While allowing the prayer for withdrawal the Hon'ble Supreme Court observed that it is open to the parties to agitate whatever issues here are in the reference before the appropriate Court. The management intending to take advantage of this observation submitted that by necessary implication the Hon'ble Supreme Court has set-aside the judgement passed by the Hon'ble High Court. This submission, as I have already said, can not be accepted. If at all the management had valid legal points to challenge the findings of the Hon'ble Court the special leave petition would have been allowed. From the aforesaid observation of the Hon'ble Supreme Court what I gather is that it is for the parties to agitate the remaining issue which is yet to be decided by this Tribunal.

4. From the available evidence it is now to be seen whether denial of employment to the workman is legal and justified. The management on whom onus lies to prove the same did not choose to lead any evidence in that regard. On the other hand, the workman in her evidence has given out that as she complained to the Labour Officer regarding less payment of wages the management removed

her from service without complying the provisions of the Industrial Disputes Act. This evidence has been corroborated by workman witness No 2. The management did not challenge the aforesaid evidence during cross-examination nor did it lead any evidence justifying its action in removing the workman from service. In this view of the matter, I hold that the action of the management in putting an end to the service of the workman has no sanction under law and therefore, the same has to be held to be illegal and unjustified.

5. The next question that falls for consideration is whether after being denied of service the workman was employed elsewhere or remained unemployed.

The workman, a lady was working as a Water Carrier under the first party-management. In her evidence she would say that being denied of employment since 12-10-79 she is unemployed. Though she was cross-examined at length but nothing could be brought out to disbelieve her testimony. The management on the other hand though has examined one witness but he denied to have any knowledge if the workman is now employed elsewhere. This being the sum total of evidence led by the parties and in view of the unchallenged testimony of the workman as aforesaid, I would unhesitatingly hold that the workman having lost her job since 1979 has remained unemployed.

6. On a conspectus of the evidence as discussed above, I hold that denial of employment to the workman being illegal and unjustified she is entitled to reinstatement with full back wages. So, she be reinstated and the back wages be paid to her from the date of her removal from service i.e. 12-10-79. Payment be made within three months from the date of publication of the Award.

The earlier order passed by this Tribunal on 7-3-87 be treated as part of this Award.

Dictated and corrected by me.

R. K. DASH, Presiding Officer

Copy of the order passed by the Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar on 7-3-87 in I.D. Case No. 9/1980 (C)

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Shri R. N. Panda, M.A. LL.B., Presiding Officer,
Industrial Tribunal, Orissa, Bhubaneswar.

Industrial Dispute Case No 9 of 1980 (Central)
Bhubaneswar, the 7th March, 1987

BETWEEN

Management of Jiling Longalota Iron Mines of M/s.
S. Lal and Co. Ltd. Barbil ... First Party

AND

Smt. Mali Dei, Represented by the General Secretary,
North Orissa Workers Union, P.O. Rourkela-12.
Dist. Sundergarh, ... Second Party.

APPEARANCES :

Sri N. C. Saha, Director,

Sri S. K. Jain, Vice-President—for the First Party.

Sri B. S. Pati, General Secretary—for the Second Party.

ORDER

1. This is a reference under section 10(1)(d) of the Industrial Disputes Act, 1947 made by the Central Government for adjudication of the dispute vide Order No. L-26011/8/80-D.III (B) dated 25th July, 1980. The schedule of reference is as follows :—

"Whether denial of employment of Smt. Mali Dei Water Carrier by the management of Jiling Longalota Iron Mines of M/s. S. Lal and Co. Ltd. Barbil from 12-10-79 is justified? If not, to what relief she is entitled?"

2. The case of the workman namely Mali Dei, Water Carrier is that she was working under the Management since last three years. She demanded revision of her wage rate in September, 1979 whereupon the Management refused her employment. On 10-10-79 the Labour Enforcement Officer, Barbil visited the place and the workman reported the action of the Manager. After intervention of the L.E.O. the Manager allowed her work on and from 11-10-79 and again from 12-10-79 the Manager denied her work. She reported the matter to the Union which has raised the dispute. The Labour Enforcement Officer, Barbil enquired into the matter and recorded her statement in presence of the witnesses. His enquiry report is enclosed as annexure-1. The action of the Management in denying her work is said to be illegal.

3. The Management's stand is that the order of reference made at the instance of the North Orissa Worker's Union is not maintainable. This Union is a foreign Union and is not a representative Union of the Company's workers. The workman in question was at no point of time in the employment of the Management and the question of refusal of her employment by the Management at any point of time does not arise. The enquiry report is said to be irrelevant. Other allegations have been denied.

4. The first question for consideration is whether the Second Party-workman was working under the Management. On this question the parties have adduced oral evidence. On behalf of the workman some statements recorded by the Labour Enforcement Officer have been proved. The workman has stated that she had served under the Management as a Water Carrier for about three years. During the visit of the Labour Officer to the establishment on enquiry she had told him that she was getting wages at the rate of Rs. 4 per day. Her further evidence is that on coming to know of it the First Party removed her from service. She reported the matter to the Labour Officer. On her report she was given employment again and worked for one day only. Again she was refused employment and she had to report the matter again to the Labour Officer. In cross-examination she has no doubt admitted that no appointment order was issued to her not she was given the date of joining nor the date of refusal of employment. The witness No. 2 has stated that he was the Challan Mate of the First Party for about 12 years. He knows the Second Party who was working as Water-Carrier for three continuous years. In cross-examination this witness says that the Second Party used to work from 5 A.M. till noon, which was her duty hours. She was also supplying water to the staff of the First Party in their residence. This witness has admitted that he has been chargesheeted for non-performance of work. But that may not be sufficient ground to brand him as a liar. The witness No. 3 is the Labour Enforcement Officer. His evidence is that he had enquired into the complaint. His evidence finds support from Ext. 1, the statement of both of the workman and one Siba Munda. It has not doubt been elicited from this Officer that he had checked some of the registers of the Management but did not find the name of the worker in that register. It was then the duty of the Management to produce the relevant register showing the names of all the workers. Those records should have shown whether this workman was or was not working under the Management during the relevant period. Instead of doing so the Management has examined one of its ex-Manager who has stated that during his period this workman never worked as a Water Carrier. The evidence of this ex-Manager which consists only in the denial of the engagement of this workman in my opinion does not outweigh the evidence adduced on behalf of the workman. On a consideration of the evidence adduced by both the parties I am inclined to hold that this workman was a Water Carrier under the Management during the relevant period. That being the findings the evidence adduced on behalf of the workman that she was refused employment has to be accepted.

5. The next question is about the maintainability of the reference. The case of the Management is that the North Orissa Workers Union is a foreign Union and is not the representative of the workman. It is also said to be a Union not recognised by the Company. On behalf of the workman no evidence has been adduced to show that the

workman was also member of the North Orissa Workers Union. It cannot therefore be said that the Union could have espoused her cause. But the fact remains that this is a dispute as mentioned in the reference between the employer and the workman. As provided in section 2(a) of the Industrial Disputes Act, the workman in case of denial of employment could raise their dispute individually and as such the dispute cannot be said to be not an industrial dispute. The reference is therefore maintainable.

6. When considering the question of relief it is seen that the parties have neither pleaded nor adduced any evidence as to the gainful employment of the workmen during the period in question. I would therefore before finally disposing the matter call upon the parties to adduce evidence on the question of gainful employment. Inform both the parties.

Transcribed to my dictation and corrected by me.

Dated : 7-3-1987.

R. N. PANDA, Presiding Officer

नई दिल्ली, 2 जुलाई 1992

का. आ. 2051 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, जिलिंग लोंगालोटा आयरन माईन्स आफ मै एस. लाल एण्ड कं. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-92 को प्राप्त हुआ था।

[संख्या एल—26011/13/80—डी-III(बी)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 2nd July, 1992

S.O. 2051.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Bhubaneswar as shown in the Annexure in the industrial dispute between the employers in relation to the management of Jiling Longalota Iron Mines of M/s. S. Lal and Co. and their workmen, which was received by the Central Government on 1-7-1992.

[No. L-26011/13/80-D.III(B)]
B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Sri R. K. Dash, J.L.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

Industrial Dispute Case No. 14 of 1980 (Central)

Bhubaneswar, the 24th June, 1992

BETWEEN

The Management of Jiling Longalota Iron Mines of M/s. S. Lal and Co. (subsequently renamed as M/s. Essel Mining and Industries Ltd.) Barbil, Dist. Keonjhar. First Party-management.

AND

Their workman Sri Bharat Mahanto, represented through North Orissa Workers Union, P.O. Rourkela-12, Dist. Sundergrah. Second Party-workman.

APPEARANCES :

Sri K. K. Sen Gupta, Legal Asst.—for the first party-management.

Sri B. S. Pati, General Secretary of the Union—for the second party-workman.

AWARD

This is a reference made by the Central Government u/s 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947) for adjudication of the dispute as to whether the action of the management of Jilling Longlota Iron Mines of M/s. S. Lal and Co. Ltd. (subsequently renamed as M/s. Essel Mining and Industries Ltd.) denying employment to Sri Bharat Mahanto, Water Carrier with effect from 7-9-79 is justified.

2. It is needless to make a reference to the pleadings of the parties as because the same have been succinctly stated by this Tribunal in the earlier order dated 9-3-87.

On filing of the written statement by the parties, hearing on merit was taken-up. While challenging the maintainability of the reference the management pleaded that Sri Bharat Mahanto was never employed as a workman under it. On an appraisal of the evidence adduced by the parties, this Tribunal while deciding the reference maintainable held that Sri Mahanto was an employee of the management and that his services were terminated. However, the reference could not be fully and finally disposed of and award passed as evidence was lacking as to whether the workman had been gainfully employed subsequent to his disengagement. Feeling aggrieved by this order the management moved the Hon'ble High Court in a writ which was dismissed in 1991. As the Hon'ble Court directed to dispose of the case within three months from the date of appearance of the parties, they were given opportunity to lead evidence on the question of gainful employment. As the management did not turn-up the workman have evidence whereafter argument was heard and date was fixed for passing award. Subsequently the management appeared and prayed to allow it to participate in the hearing before passing award. Having heard the parties order was passed allowing the management to have its say before final adjudication of the dispute. Thereafter the management cross-examined the workman examined earlier and also examined one witness on its behalf.

3. It is contended on behalf of the management that in view of the observation of the Hon'ble Supreme Court this Tribunal ought to have allowed it to lead evidence both on the question of maintainability of the reference as well as on merit. That having not been done all the issues involved in the reference can not be answered in either way. I am not prepared to accept such contention of the management for the reasons set-out below.

The finding dated 9-3-87 of this Tribunal on two issues as aforesaid was challenged by the management in the Hon'ble High Court by way of writ. Having heard the parties, their Lordships refused to interfere with the findings and dismissed the writ. Against the said order of the Hon'ble Court, the management filed a special leave petition before the Apex Court. From the xerox copy of the order of the Hon'ble Supreme Court, it transpires that the management withdrew the said special leave petition. While allowing the prayer for withdrawal the Hon'ble Supreme Court observed that it is open to the parties to agitate whatever issues there are in the reference before the appropriate Court. The management intending to take advantage of this observation submitted that by necessary implication the Hon'ble Supreme Court has set-aside the judgment passed by the Hon'ble High Court. This submission, as I have already said, can not be accepted. If at all the management had valid legal points to challenge the findings of the Hon'ble Court, the special leave petition would have been allowed. From the aforesaid observation of the Hon'ble Supreme Court what I gather is that it is for the parties to agitate the remaining issue which is yet to be decided by this Tribunal.

4. From the available evidence it is now to be decided whether denial of employment to the workman is legal and justified. The management on whom onus lies to prove the same did not choose to lead any evidence in that regard. On the other hand, the workman in his evidence has stated that as he demanded for enhancement of wages, his services were terminated by the management. This evidence of his has been corroborated by workman witness

Nos. 2 and 3. In view of such evidence, I am inclined to hold that the action of the management in doing away with the job of the workman has no sanction under law and hence the same has to be held to be illegal and unjustified.

5. The next question that falls for consideration is whether after being denied of service the workman was employed elsewhere or remained unemployed.

The workman in his evidence has stated that being denied of employment since 7-9-79 he is unemployed. On the other hand, it is the case of the management that the workman has been working under a contractor of Kalinga Mining Corporation as a Muzdoor. To prove this the management has examined MW-2 who during cross-examination would admit that he only heard from the villagers about the employment of the workman in the aforesaid Mines. MW-3 denied to have any knowledge regarding employment of the workman elsewhere. This being the sum total of evidence led by the parties, I am inclined to hold that since disengagement by the management the workman has remained unemployed.

6. On a conspectus of the evidence as discussed above, I hold that denial of employment to the workman being illegal and unjustified, he is entitled to reinstatement with full back wages. He be reinstated and back wages be paid to him from the date of his removal from service i.e., 7-9-79. Payment be made within three months from the date of publication of publication of the Award.

The earlier order passed by this Tribunal on 9-3-87 be treated as part of this Award.

Dictated and corrected by me.

R. K. DASH, Presiding Officer

Copy of the order passed by the Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar on 9-3-87 in I. D. Case

No. 14/1980 (C)

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT

Shri R. N. Panda, M.A., LL.B., Presiding Officer, Industrial Tribunal, Bhubaneswar.

Industrial Dispute Case No. 14 of 1980 (Central)
Bhubaneswar, the 9th March, 1987

BETWEEN

Management of Jilling Longlota Iron Mines of M/s. S. Lal and Co. Barbil. ... First Party.

AND

Shri Bharat Mohanta, Represented by the General Secretary, North Orissa Workers Union, P.O. Rourkela, Dist. Sundergarh ... Second Party.

APPEARANCES :

Sri N. C. Saha, Director.

Sri S. K. Jain, Vice President—for the First Party.

Sri B. S. Pati, General Secretary—for the Second Party.

ORDER

1. This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 made by the Central Government for adjudication of the dispute vide Order No. L-26011/13/80-D.III (B) dated 13th October, 1980. The schedule of reference is as follows :—

"Whether denial of employment to Shri Bharat Mohanta, Water Carrier by the Management of Jilling Longlota Iron Mines of M/s. S. Lal and Co. Ltd. from 7-9-79 is justified? If not, to what relief is he entitled?"

2. The case of the workman namely Bharat Mohanta, Water Carrier is that he was working under the Management since last three years. He demanded for revision of his wage rate whereupon on 7th September, 1979 he was

denied employment. The matter was referred to the Management and when no action was taken he raised this before the Assistant Labour Commissioner for his action and intervention. The Labour Enforcement Officer (C) enquired into the matter on 2-12-79 and submitted his report (copy enclosed as Annexure-1).

3. The Management's stand is that the order of reference made at the instance of the North Orissa Workers' Union is not maintainable. This Union is a foreign Union and is not a representative Union of the Company's workers. The workman in question was at no point of time in the employment of the Management and the question of refusal of his employment by the Management at any time does not arise. In the early part of the year 1979 when the North Orissa Workers' Union had raised the dispute with the Management, the Management vide its letter dated 19th October, 1979 had categorically stated and denied that the workers named by the said Union had at no point of time been in their employment. The other allegations made in the written statement by the workman have been denied.

4. The first question for consideration is whether the second party was a workman under the Management. In this connection we have four witnesses for the workman and one for the Management. The Second Party has stated in his evidence that he was the Water Carrier under the First Party for about four years continuously when his services were terminated as he demanded enhanced wages. He reported the fact to the Labour Officer who enquired into the matter. After enquiry he was given employment for one week only. In his cross-examination it has been elicited that his duty hours were from 5 A.M. to 12 Noon and from 3 P.M. to 5 P.M. The witness No. 2 has similarly stated that the second party was working as a Water Carrier under the Management. This witness was also a workman under the Management. He has of course been dismissed from service. But that by itself would not detract from the value of his evidence. The witness No. 3 was also a workman under the Company. He has stated that the Second party was a Water Carrier under the First Party for about four years. This witness has also been chargesheeted on allegation of non-performance of his duty. That fact alone also would not make his evidence unreliable. The Labour Enforcement Officer as witness No. 4 it appears had held an enquiry into the complaint made by the North Orissa Workers Union and during that enquiry he had recorded the statements of this workman and another witness vide Ext. 1. This Officer no doubt looked into some of the records of the Company but did not find the name of the worker in those register. The witness for the Management has stated that the second party never worked as a Water Carrier under the Management. This Manager has also stated that the Labour Officer had inspected some records. The best evidence for the Management would have to produce the records containing the name of this worker and to show that this workman was never in their employment. In fact this witness in cross-examination has admitted that 'B' form register contained all the names of the employees. That register if produced would have indicated the correct position. For non-production of that register adverse inference has to be drawn against the Management. On a consideration of the evidence adduced by both the parties I am inclined to hold that the second party was a workman under the First Party. This being the finding the evidence of the workman that his services have been terminated has to be accepted.

5. The next question is about the maintainability of the reference. The case of the Management is that the North Orissa Workers Union is a foreign Union and is not the representative of the workman. It is also said to be a Union not recognised by the Company. On behalf of the workman no evidence has been adduced to show that the workman was a member of the North Orissa Workers Union. It can not therefore be said that the Union could have espoused his cause. But the fact remains that this is a dispute as mentioned in the reference between the employer and the workman. As provided in Section 2(a) of the Industrial Disputes Act the workman in case of denial of employment could raise their dispute individually and as such the dispute can not be said to be not an industrial dispute. The reference is therefore maintainable.

6. When considering the question of relief it is seen that the parties have neither pleaded nor adduced any evidence as

to the gainful employment of the workman during the period in question. I would therefore before finally disposing the matter call upon the parties to adduce evidence on the question of gainful employment. Inform both the parties.

Transcribed to my dictation and corrected by me.

R. N. PANDA, Presiding Officer

नई दिल्ली, 3 जुलाई, 1992

का. घा. 2052.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, श्री. एन. जी. सी., अहमदाबाद के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, अहमदाबाद के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-92 को प्राप्त हुआ था।

[संख्या एल-30012/3/90—आई. प्रार.]

(विविध)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 3rd July, 1992

S.O. 2052.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of O.N.G.C. Ahmedabad and their workmen, which was received by the Central Government on the 2-7-92.

(No. L. 30012/3/90-1R(Misc.))

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI H. R. KAMODIA, PRESIDING OFFICER, AHMEDABAD

Ref. (ITC) No. 31 of 1990.

ADJUDICATION

BETWEEN

O.N.G.C., Ahmedabad.

AND

The workmen employed under it.

In the matter of compulsory retiring Shri Ganeshbhai R. Solanki, Khalasi, from service w.e.f. 12-2-85 of Ahmedabad.

APPEARANCES :

Shri M. J. Sheth, Advocate, for the first party.

Shri V. S. Parasher, Advocate, for the second party.

AWARD

An industrial dispute between the above-named parties has been referred for adjudication under section 10(1) of the I.D. Act, 1947 to the Industrial Tribunal, Ahmedabad by the Govt. of India, Ministry of Labour, New Delhi's Order No. L-30012-3-90-IR(Misc.) dated 11-5-90. Subsequently it has been transferred to this Tribunal for proper adjudication. The industrial dispute relates to the question whether the action of the management of O.N.G.C. Ahmedabad Project, Ahmedabad in compulsorily retiring Shri Ganeshbhai R. Solanki, Khalasi from service w.e.f. 12-5-85 is justified? If not what relief the workman is entitled to?

2. Ex. 4 is the statement of claim filed by the second party, wherein it has inter alia contended that the action of the first party in compulsorily retiring Shri Solanki is not legal and proper in as much as it had not followed normal procedure prescribed before imposing such punishment. In the instant

case no enquiry was held which was a must. The concerned workman was not convicted by the Judicial Magistrate, 1st Class, Ahmedabad in Criminal case No. 2 of 1982. The facts and circumstances deserved consideration and sympathy. It was alleged that he had taken Rs. 713.39 as medical expenses, though as a matter of fact he had not incurred those expenses. Shri Solanki's son was suffering from some recurring disease. He was required to purchase some injections. The Probation Officer had also reported that there was no criminal intention on his part in drawing that amount. The criminal case was entrusted to CBI office. He was beaten by the officers. The office of the first party were hand-in-glove with CBI. The concerned workman knew the weakness and other irregularities of the officers and so the case was entrusted to CBI. His son had expired. In order to avoid beating at the hands of CBI officers he had admitted his guilt before the Criminal Court. The learned Magistrate was pleased to release him on probation for maintaining peace for two years. Accordingly he had remained peaceful for two years. However, the officers of the first party who was against him had managed to get him compulsorily retired in the shortest possible time without following the rules and regulations prescribed for the same. The second party has also contended about the negotiations and representations made by the concerned workman after his compulsory retirement from service. It has, therefore, prayed to reinstate the concerned workman on his original post with full back wages and all other benefits.

3. The first party has resisted the statement of claim by filing its written statement Ex. 5, wherein it has contended that the concerned workman was working as a Khalasi in production section of Operations Business Group. He had submitted medical reimbursement claim on 10-12-79 for Rs. 712.39 on account of treatment of his son. The said claim was false in as much as the medicines mentioned in the bill were not at all purchased by him. Therefore this case was investigated by CBI who was pleased to submit a charge-sheet in the Court of Chief Judicial Magistrate, 1st Class, Ahmedabad (Rural). In that case the concerned workman had pleaded guilty and so on his own admission he was convicted for the offence in question. Before he was compulsorily retired from service a show cause notice was served upon him. In response to the same he had filed his reply. That was taken into consideration by the authority concerned which had followed the ONGC conduct Discipline & Appeal Regulations, 1976. Its action in compulsorily retiring him was just, fair, legal and proper and in accordance with the principles of natural justice. It has denied that the other allegations made against the officers and CBI. No enquiry was required to be held after he was convicted by a competent Court and so merely a show cause notice was served upon him to which he had submitted a reply which was taken into consideration before imposing the punishment of compulsorily retiring him from service. It is not true that some assurance was given by the Criminal Court that he will be pardoned. Therefore on these grounds it has prayed to dismiss the reference with cost.

4. Ex. 15 is the oral deposition of the concerned workman. This is the only oral evidence adduced on behalf of the second party. The first party has not adduced any oral evidence. Some documents are produced in this case. The parties rely on the same. I have heard the parties and I have gone through the entire record of the case.

5. What is required to be adjudicated in this case is the justification or otherwise of the order compulsorily retiring the concerned workman from service, under the impugned order. Therefore any subsequent alleged negotiations or assurance given to the concerned workman as contended in the statement of claim or in his deposition cannot be taken into consideration for the purpose of deciding the justification or otherwise of the said order. The fact on or before the date of compulsory retiring him from service will have to be taken into consideration. The concerned workman in his deposition dealt at length as to what happened when he attempted to meet some officers after he was compulsorily retired from service. I think all these facts cannot be taken into consideration. They are not responsible for his compulsory retirement from service. Those facts cannot provide evidence for justification or otherwise of the order in question. Thus those facts are wholly irrelevant or they would amount to extraneous consideration for deciding the short question which as best referred to this Tribunal by the Gov-

ernment for adjudication. Any assurance or promise alleged to have been given by some officer to the concerned workman after his compulsory retirement from service cannot be regarded as a circumstance to hold that the order retiring him compulsorily from service was not at all justified. He might have met some officer for reconsideration or for taking a lenient view. What transpired between the concerned workman and the officers at that time can hardly be taken into consideration.

6. A grievance was made that in order to victimise the concerned workman the matter was entrusted to CBI with whom the officers of the first party were hand-in-glove because the concerned workman knew the weaknesses and the irregularities which committed by those officers. I think this submission cannot also be taken into consideration. If the concerned workman had preferred a wrong medical reimbursement bill in respect of medicines not at all purchased by him it would certainly amount to Criminal offence. The facts will constitute an offence of fabrication of some documents. Therefore, when particular facts constitute an offence the first party would be justified in filing a complaint in respect of that offence before CBI. It is alleged that by preferring a false medical reimbursement bill, the concerned workman had committed offences punishable u/s 420, 511, 465 and 471 of the Indian Penal Code. It was then submitted that he and the members of his family were beaten by CBI. I am not able to understand as to how these allegation can assist this Tribunal in taking a decision that the order of compulsorily retiring him from service is not justified. This is not an allegation against the first party. It is an allegation against the CBI. In this case this Tribunal will not be competent to inspect these allegation made by the concerned workman against the CBI which is not a party in this case. If the concerned workman feels that he was beaten up for the purpose of compelling him to admit this guilt he was at liberty to have filed a criminal complaint against those officers. He had not done that. That was the proper forum. Therefore this Tribunal cannot take this submission into consideration much less to decide the question as its decision is not at all necessary for the purpose of proper adjudication of the dispute referred to this Tribunal. It was then submitted that some assurance was given that he will be pardoned and so he was tempted to admit the guilt. I think this Tribunal cannot take this submission into consideration. If I take this submission into consideration I will be treading on a forbidden path because in so doing I will be making an attempt to go beyond the order of conviction recorded by the competent Court. This Tribunal cannot go behind the order of the Chief Judicial Magistrate. This Tribunal does not sit in appeal against that judgement. The concerned workman had not filed any appeal or revision as to avoid that judgement of the Criminal Court and so it has thus become final and conclusive. This Tribunal is not called upon to investigate the facts and circumstances in which the concerned workman had admitted his guilt because this Court has got no jurisdiction in entering into such a question and thus to go behind the legality or otherwise of the judgment of conviction rendered by the Chief Judicial Magistrate against the concerned workman. Ex. 9 is the true copy of the judgement rendered by the Chief Judicial Magistrate against the concerned workman. It appears there from that the concerned workman had pleaded guilty to the charge framed against it. The charge of the offence was framed against him. He had pleaded the guilty to the fact. It appears that the learned Magistrate had felt that his plea & guilt was voluntary and that is why he had accepted that plea of guilty and on that basis he had found him guilty of the offences in question. Thus the contention of the second party that he had not preferred a wrong medical bill or that he had not committed any offence cannot be taken into consideration till such time as the judgement of the Criminal Court remains in force. It is for the concerned workman to have avoided that judgement. He had not done that. The second party has made a futile attempt to avoid this judgement in these proceedings.

7. It was conceded by the learned authorised representative of the second party that when a penalty is imposed on an employee on the ground of a conduct which led to his conviction on a Criminal charge on enquiry is required to be held against the punishment of compulsorily retiring him from service, the first party ought to have served a show cause notice upon this concerned workman regarding the proposed punishment and as, that was not done the final order

compulsorily retiring him from service is bad in law and against the principles of natural justice. Paragraph 34 of ONGC Conduct and Discipline and Appeal Regulation, 1976 prescribes minor as well as major penalties. Compulsory retirement from service is a major penalty and so such a punishment can be imposed upon an employee. It was submitted that Paragraph 41 of the Regulation is not complied with in this case because no show cause notice was served upon the concerned workman before he was visited with the penalty of compulsorily retiring him from service. There is no merit in this submission because para 41 of the regulation does not require the service of said show cause notice. Paragraph 41(a) of the regulations says that notwithstanding anything contained in Regulations 36 to 40 where a penalty is imposed on the ground of conduct which had led to his conviction of a Criminal charge, the disciplinary authority may consider the circumstances of each case and pass such an order as it deems fit. So this provision does not require the service of show cause notice before imposing the penalty upon the employees on the ground of conduct leading to his conviction on a criminal charge. In the instant case the concerned workman was charge-sheeted. He had pleaded guilty to the charge levelled against him. The learned Magistrate had held him guilty and so he was proved to have committed those offences and consequently he was convicted. Now what is challenged is the order of compulsory retiring the concerned workman from service. That order is at mark 18/1 and 22/1. This order will go to show that the authority had taken into consideration his conduct leading to his conviction on a criminal charge. This is evidence from paragraph 1 of the order. It also appears from this order that a show cause notice was served upon the concerned workman and he had replied to the same. His reply dtd. 17.12.84 was duly considered by the authority because there is a positive mention to this effect in the order itself. Thus the authority concerned had taken into consideration the facts mentioned in the criminal charge levelled against the concerned workman and the written representation dtd. 17.12.84 filed by him before passing the final order. The concerned workman has under the list at Ex. 6 produced some documents. Some documents are exhibited. Ex. 16 is the xerox copy which bears the signature of the concerned workman. It is dtd. 17.12.84. This was, therefore the representation made by the concerned workman in response to show cause notice served upon him. This representative makes a mention about the letter No. AMD/VD/4-23 O-(80)/463 66 dtd. 12.12.84. This show cause notice is at Ex. 10. This will therefore go to show that the show cause Ex. 10 was duly received by the concerned workman and that he had submitted his reply thereto. Thus the contention of the second party that the first party has committed breach of principles of natural justice or the regulations by not serving any show cause notice upon the concerned workman is not correct. It was submitted that Ex. 16 was written by the P. A. of Shri Bhagwan Saheb and below that his signature was taken. Thus he has admitted his signature below Ex. 16. It is easy for any workman to say that the representation was not dictated to him or that he had not read it. Thus it is clearly proved that the first party had served a show cause notice upon the concerned workman before taking final decision of compulsory retiring him from service. As already said by me Regulation 41 does not require the service of such a show cause notice. Even then in the instant case the show cause was served upon the concerned workman. He had replied to the same and it was taken into consideration as is evident from the order of punishment.

8. The second party has drawn my attention to some decisions. My attention was first drawn to the case of Shanker Dass v/s. Union of India and Another reported in 1985 2 SC cases 358. It is a judgement rendered by the Supreme Court. In that case a Government servant was involved and so his case was considered under Article 311(2) 2nd proviso (a) of the Constitution of India, whereas this article is not applicable in the instant case. In the instant case the concerned workman was given the benefit of provision of Probation of Offenders Act. So instead of sentencing him he was released on condition to maintain peace and law and order for a period of two years. He was also directed to execute a bond of Rs. 2000/- for that period. He was also informed that if any default is committed so far as this condition is concerned, he will be required to appear before the Court to receive the punishment in respect of the offences for which he was held guilty. It was submitted that S. 12 of the probation of offenders, Act

says that any order passed under this Act shall not be regarded as its disqualification suffered by the offender. This Section was interpreted in this reported case. It was held that this provision must be placed out of way and that it is not possible to accept the reasoning that the employee could not be dismissed from service for reason of the provision contained in Section 12 of the Probation of Offenders' Act. In that case their Lordships had reproduced some observations made by the learned Magistrate for the purpose of holding that the penalty of dismissal from service imposed upon the employee was..... It was submitted that learned Magistrate has made some observations which should be taken into consideration. The learned Magistrate has observed that it was the first offence committed by the concerned workman. This is not a ground for justification for reduction in the punishment imposed upon the concerned workman. He had also taken into consideration the report of the Probation Officer had observed that the concerned workman had committed offence on the ground of financial constraints and that he had no criminal mind while committing the offence. In the reported case the family circumstances and calamities with which the person was visited were detailed by the learned Magistrate. These facts are absent in the instant case and in the order of the learned Magistrate. Thereafter my attention was drawn to the case of H. P. Thakur v/s. State of Gujarat and others reported in 20 GLR at page 109, wherein his Lordship of the Gujarat High Court had held that before imposing the economic death penalty of dismissal or removal from service the disciplinary authority should apply his mind to vital considerations which are enumerated in the judgement. It was not a case wherein an employee was convicted by a criminal offence. It was not a case wherein the offender was dealt with any provision of Probation of Offenders Act and so this decision is not helpful for deciding the justification or otherwise of the order of compulsory retiring the concerned workman from service. The learned advocate of the first party has drawn my attention to the case reported in 1983 (II) LLJ at page No. 85. In that case the workman was dismissed after his misconduct of faith was proved. He had put in 17 yrs. of unblemished service. The question for consideration was whether the arrangement of dismissal from service was disproportionate having regard to the 17 yrs. of unblemished service. In the judgement rendered by the Madras High Court it was held that plea of reinstatement was untenable and punishment imposed was on concessional side. In that case theft was of canteen coupons of the value of Rs. 24.48, whereas in the instant case the concerned workman had committed criminal offence in respect of Rs. 712.39. In the reported case the punishment was modified as one of termination of service with the direction to the management of pay one month's salary to the workmen. So the punishment of dismissal was modified one of termination of service and this was regarded as on concessional side in the reported case. Thereafter my attention was drawn to the case reported in 1990 CLR p. 544. It is a Supreme Court case. In that case it was held that a criminal trial of conviction is one thing and sentence is another and departmental punishment for misconduct is yet a third one. In this reported case instead of convicting the offender the Court was pleased to release him on probation of good conduct. It was, therefore, held that such an order does not affect the conviction which remains untouched, and the stigma of conviction is not obliterated. This observation very aptly applies to the facts of the present case. It was again held that in the departmental proceeding the delinquent could be dismissed or removed or reduced in rank on the ground of conduct which had led to his conviction on a criminal charge. So all these punishment could have been imposed in the instant case. The concerned workman was not dismissed from service. His services were also not terminated, but he was compulsorily retired from service. It was also held that benefit of probation of offenders Act does not mean that even a convict cannot be dismissed from service. Their Lordships have referred to the case reported in 1987 .. SC cases 39 wherein the punishment of dismissal was converted into that of removal from service so that it may held the convict to secure future employment in another establishment. So relying on that decision their Lordships altered the punishment of dismissal from service into removal from service. It is important to note that in this reported case the employee was a Constable in the CRPF. He had not committed any offence. It appears that he and some other Constables had forced entry into the room of other constable. It appears

that he had himself observed that some persons were sentenced by the Court. However, the Session Judge while at holding the conviction released him under the Probation of Offenders Act. This is the latest decision of the Supreme Court. It had not directed reinstatement of the person. Therefore, there is no justification for holding that the punishment of compulsory retirement from service imposed upon the concerned workman is on higher side or is not proportionate with the gravity of the misconduct proved to have been committed by him, in view of his admission of guilt before a competent Criminal Court. It must be said that the penalty imposed by the first party or on concessional side because the concerned workman was neither dismissed nor terminated from service. Hence the second party has failed to prove that the order compulsorily retiring the concerned workman from service is not justified. Therefore, the present reference deserves to be dismissed. So I pass the following order.

ORDER

For the reasons aforesaid the present reference stands dismissed with no order as to cost.

Sd/- (Illegible)
SECRETARY,

Ahmedabad, 18th June, 1992.

H. R. KAMODIA, Presiding Officer

नई दिल्ली, 6 जुलाई, 1992

का. घ्रा. 2053.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिरीपुर एरिया होस्पिटल के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपेट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-92 को प्राप्त हुआ था।

[संख्या एल-22012/189/90-आई.आर. (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2053.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sripur Area Hospital of their workmen, which was received by the Central Government on the 2nd July 1992.

[No. L-22012/189/90-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL.

REFERENCE NO. 54/90

PRESENT :

Shri N. K. Saha,
Presiding Officer.

PARTIES :

Employers in relation to the Management of Sripur Area Hospital under M/s. E.C. Ltd.

AND

Their Workman.

APPEARANCES :

For the Employers—Sri P. Banerjee, Advocate.
For the Workman—Sri B. Kumar, Joint Secretary of the union.

INDUSTRY : Coal. State : West Bengal.

Dated, the 16th June, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(189)90-IR(C.II) dated the 30th November, 1990.

SCHEDULE

"Whether the action of the management of Sripur Area Hospital under M/s. E.C. Ltd., in not regularising Smt. Ratna Dutta, General Mazdoor as a Clerk in Gr. III w.e.f. 1-12-1982 with consequential benefits is justified? If not to what relief the workman is entitled and from what date?"

2. Shri P. Banerjee, learned Advocate for the management and Sri Bijoy Kumar the learned representative of the union are present. Sri Kumar submits that he has no instruction from his client to proceed with the case. He has made endorsement 'no instruction' on the order-sheet.

3. In view of such circumstances I have no other alternative but to pass a no-dispute award in this case. Accordingly a no-dispute award is passed.

N. K. SAHA, Presiding Officer.

नई दिल्ली, 6 जुलाई, 1992

का. घ्रा. 2054.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जनरल मैनेजर (एच आर डी) ईस्टर्न कोल-फील्ड्स लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपेट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-92 को प्राप्त हुआ था।

[संख्या एल-22012/100/91-आई.आर. (सी II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2054.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of General Manager (HRD) M/s. Eastern Coalfields Ltd. of their workmen, which was received by the Central Government on the 2nd July 1992.

[No. L-22012/100/91-IR C-II]

RAJA LAL, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL.

REFERENCE NO. 9/92

PRESENT :

Shri N. K. Saha,
Presiding Officer.

PARTIES :

Employers in relation to the Management of General Manager (HRD), M/s E.C. Ltd., Sanctoria.

AND

Their Workman.

APPEARANCES :

For the Employers—None.
For the Workman—None.

INDUSTRY : Coal. State : West Bengal.

New Delhi, the 1st June, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(100)/91-IR (C.II) dated 8th January, 1992.

SCHEDULE

"Whether the action of the management of General Manager (HRD) M/s. Eastern Coalfields Ltd., Sanctoria, P.O. Dishergarh, in placing of Sri Bijoy Bouri, E. P. Fitter, in Excavation Gr. 'D' at the time of appointment and subsequent promotion w.e.f. December, 1986 in Excavation Gr. 'C' is justified? If not, to what relief the concerned workman is entitled to?"

2. Both the parties are absent. The Reference was received by this Tribunal on 15-1-1992. The union has not yet filed the written statement. From the conduct of the union it appears to me that the union is no longer interested to proceed with the case. Accordingly I have no other alternative but to pass a no-dispute award in this case. Hence a no-dispute award is passed.

N. K. SAHA, Presiding Officer.

नई दिल्ली, 6 जुलाई, 1992

का.अ. 2055.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डुईलबेरा कोलियरी आफ साऊथ ईस्टर्न कोल-फील्ड्स लि. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-92 को प्राप्त हुआ था।

[संख्या एल-22012/57/89-आई आर सी-II]

राजालाल, डस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2055.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Daulbera Colliery of South Eastern Coalfields Ltd. of their workmen, which was received by the Central Government on the 1-7-1992.

[No. L-22012/57/89-IR (C. II)]
RAJA LAL, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Shri R. K. Dash, LL.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 19 OF 1989
(CENTRAL)

Dated, Bhubaneswar, the 20th June, 1992.

BETWEEN :

The Management of Deulbera Colliery of South Eastern Coalfields Ltd., At/P. O. Deulbera, District : Dhenkanal.
First Party—Management.

1825 GI/92—8

(AND)

Their workman Shri Dwari Behera, represented through Orissa Coalfields Labour Union, At/P. O. Deulbera Colliery, District : Dhenkanal.

... Second Party—Workman.

APPEARANCES :

Shri B. Satyavasu, Dy. Personnel Manager—For the first party—management.

Shri P. C. Sahoo, President of the Union.—For the second party—Workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and by their Order No. L-22012(57)/89-IR (C. II), dated 7th September, 1989 have referred the following dispute for adjudication by this Tribunal :—

"Whether the action of the management of Deulbera Colliery of M/s. S. E. C. Ltd., At/P. O. Deulbera, District : Dhenkanal in retiring Shri Dwari Behera, Mining Sirdar from service w.e.f. 16-7-1987 is justified? If not, to what relief the workman concerned is entitled to?"

2. Shortly stated the case of the workman is that he entered into service in Deulbera Colliery of the South Eastern Coalfield Ltd. on 1-1-1960. Though his actual date of birth as mentioned in the school leaving certificate is 2-1-1929 but in the Official records of the management wrong entry has been made showing his date of birth to be 16-7-1927 which is quite wrong and is based on no material. During course of his employment he appeared two examinations, namely, Mining Sirdar certificate examination and Gas Testing Certificate examination held on 1970 and 1972 respectively. Necessary forms were forwarded by the management before such examinations were held. Necessary entries of those forms including the date of birth were properly filled in and forwarded by the authority. Accordingly, in the certificates issued to the workman his date of birth has been mentioned as 2-1-1929. But relying on the wrong entry of the date of birth in the official record the Management passed orders that the workman would retire from service on attaining the age of superannuation on 16-7-1987. So, the workman agitated his grievance whereafter the management agreed that it would constitute an Age Determination Committee to ascertain his actual date of birth. Accordingly, a Committee was set-up which held its sitting on 27-5-1988 and in absence of any material accepted the date of birth of the workman as mentioned in the relevant register of the management. Emboldened with the finding of the Committee the management retired the workman from his service though infact he had some more months to serve. With the help of the Orissa Coalfield Labour Union he raised a dispute which was admitted to conciliation and the same having failed a reference was made to this Tribunal for adjudication. It is, therefore, urged that by the time of illegal retirement the workman had 18 months to serve as because his date of birth is 2-1-1929 but not 16-7-1927.

3. Refuting the claims of the workman the management has pleaded inter alia that the actual date of birth of the workman is 16-7-1927 which finds mention in the Official register. If actually he was born on 2-1-1929 and he was in possession of the school leaving certificate he should have produced the same when his medical examination was held in 1962 i.e., after his entry into service. In the medical examination report as well as in the service sheet the workman had put his signature wherein his date of birth finds mention and thereby he has acknowledged all the entries made therein. In this view of the matter it is pleaded that the workman is estopped to say otherwise that his date of birth is not 16-7-1927 but 2-1-1929. Challenging the correctness of the entry of the date of birth entered in the subsequent two examinations, it is urged by the management that the same can not be accepted to be correct when there is earlier entry of the actual date of birth both in the medical examination report and in the service sheet. In sum and

substance the case of the management is that the date of birth of the workman being 16-7-1927 he has been rightly retired from service on his attaining the age of superannuation i.e., 60 years on 16-7-1927.

4. From the pleadings of the parties, the sole question for determination is whether the workman was born on 16-7-1927 or 2-1-1929. Though the parties have led oral evidence but the decision of the case rests mostly on documentary evidence.

5 The management to prove its case relies on the medical examination form, Ext. A/1, service register, Exts. B/1 and D and an application, Ext. C filed by the workman to return back certain documents. In column-6 of Ext. A/1 it is mentioned that from appearance, the workman was of about 35 years of age as on 19-12-1962. This observation of the concerned doctor was merely a guess work but not on the basis of any examination. In so far as service register Ext. B/1 is concerned, the workman has been shown to have been born on 16-7-1927. To a court question witness No. 1 for the management stated that on the basis of the medical examination report Ext. A/1, date of birth of the workman as aforesaid has been so mentioned in the service register. As observed earlier, Ext. A/1 can not be treated as expert opinion based on any examination in determining the age of the workman. To the same effect is the value of Ext. D. True it is, the workman has appended his signature to Ext. A/1 but by that he can not be estopped to challenge its correctness. Factually also the management is not correct to say that the workman was born on 16-7-1927. If actually the workman was 35 years of age on the date Ext. A/1 was signed both by him as well as the medical Officer, then on mathematical calculation his date of birth falls on 19-12-1927 but not 16-7-1927.

It is mentioned in Ext. 4 which prescribed the procedure for determination/verification of the age of the employees that where instead of date of birth year has been recorded in that case 1st July of the year will be deemed to be the date of birth. Even if that is accepted in the present case, the date of birth of the workman would have been 1-7-1927 but not 16-7-1927.

6 Now coming to the evidence of the workman, I find that his date of birth as mentioned in his school leaving certificate, Ext. 1 is 2-1-1929. The authenticity of this certificate has not been challenged by the management in course of hearing. The other two certificates, Exts. 2 and 3 are Sirdar's Certificate and Gas Testing Certificate where it is mentioned that the workman was born on 2-1-1929. In clause (B)(i)(b) of Ext. 4 it is provided that Mining Sirdarship, Winding Engine or similar other statutory certificates where the Manager has to certify the date of birth will be treated as authentic. In both the certificates, Exts. 2 and 3 referred to above, the concerned authority has certified that the present workman was born on 2-1-1929. On an evaluation of the evidence of the parties, I am of the opinion that the case of the workman stands in a better footing. The two certificates, Exts. 2 and 3 has been issued when the dispute regarding date of birth of the workman was not even in its mother's womb.

7. In view of my discussions made above, I hold that date of birth of the workman is 2-1-1929 but not 16-7-1927. So, he would have retired on attaining the age of superannuation in the month of January 1989 but the management relying on the wrong entry of the date of birth in the service register retired him on 16-7-1987. In the circumstance, therefore, the workman would be deemed to have continued in service till 31-1-1989. From 16-7-1987 to 31-1-1989 he shall be paid all his wages and the said period be taken into consideration for calculating his retirement benefits, if any. The payment of wages for the aforesaid period be made within three months from the date of publication of this Award.

The reference is answered accordingly. Dictated & corrected by me.

R. K. DASH, Presiding Officer

Dated : 20-6-1992.

नई दिल्ली, 6 जुलाई, 1992

का. आ. 2056.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार फूड कॉर्पोरेशन ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोक्ताओं और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण, बंगलौर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-92 को प्राप्त हुआ था।

[संख्या एन—42018/2/88—डी-IV (बी)]

राजालाल, डेस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2056.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 1-7-92.

No. L-42018/2/88-D.IV(B)|
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this 22nd day of June 1992

PRESENT:

Sri M.B. Vishwanath, B.Sc., LL.B.,—Presiding Officer.
CENTRAL REFERENCE NO. 21/89

I Party

A. T. Sannathammaiah c/o Regional Secretary, FCI Employees' Union, No. 10, L, 5th Street, Ashok-nagar, Bangalore-560025.

v/s.

II Party

The Regional Manager, Food Corporation of India, Regional Office, No. 10, Mission Road, Bangalore-560027.

AWARD

In this reference made by the Hon'ble Central Government under its order No. I-42018(2)/88-D.IV(B) dated 6-2-1989 under Sec. 10(1)(2A)(d) of I.D. Act, the point for adjudication as per schedule is :—

“Whether the action of the Management of Food Corporation of India, Bangalore in dismissing Sri A.T. Sannathammaiah, Watchman from service w.e.f. 06-09-1984, is justified? If not, to what relief the workman concerned is entitled?”

2. In the claim statement it is stated by the I party workman that the I party workman joined the II party as a watchman on 11-5-1975. The party workman was confirmed subsequently. The I party was working at K. R. Puram branch in Mysore District in 1983. At K. R. Nagar one T. Subramanayam gave a false complaint of theft against the I party. On the basis of this false complaint a charge sheet was issued to the I party. In the charge sheet it was also stated that the I party had given false information that he had admitted his children to Fathima Convert. Narayana-pura, Bangalore and so he needs a transfer from K. R. Nagar, Mysore to K. R. Puram, Bangalore. The third

charge against the I party was that the I party workman snatched on 6-4-83 the duty register from the head Watchman Abdulla and made un-authorised entry in the register and when questioned the I party used threatening and abusive words to head watchman Abdulla and thereby failed to maintain integrity and devotion to duty. The charges are all false. The I party gave an explanation that he was on off duty and that he had not removed the bag. He accepted that he had given wrong information regarding the school admission of his children. But this was un-intentional. He did not snatch the register on 6-4-83 and he did not use indecent words. The II party held a D.E. against the I party. The D. E. was opposed to principles of Natural Justice. The D.E. is improper. The D.E. was a farce. In any case the punishment of dismissal is disproportionate to the gravity of the alleged offences. The order of dismissal has to be set aside. The I party has to be reinstated with full back wages and other consequential reliefs.

3. In the counter statement filed by the II party it is stated :—

It is true that the I party was working under the II party. It is false that Subramaniam, AGI(D) gave a false complaint against the I party. Subramaniam reported on 28-5-83 that when (Subramanyam) was working in the office he heard the noise of a bag being carried to the watchman quarters. There was wheat which was spilling in the quarters. One bag of wheat in the dry septic tank by the side of the quarters was found. The I party was in his quarters. On seeing Subramanyam, the I party accepted the guilt and begged for mercy regarding theft, but refused to give acceptance of the plea of guilt in writing. As regards giving false information for admission of his children, the I party has admitted this in his written statement before he E.O. The D.E. held against the I party is fair and proper. The I party has admitted that he gave false information regarding his plea for transfer from K. R. Nagar, Mysore to K. R. Puram, Bangalore. The order of punishment imposed on the I party is proper. There is no substance in the allegation that it is disproportionate to the magnitude of the offence. The theft committed by the I party is a serious one and the punishment is proportionate to the nature of misconduct. If for any reason the D.E. is held to be improper, it is prayed, the II party be given opportunity to prove the charges in this Tribunal. The reference has to be rejected.

4. My Learned Predecessor has framed the preliminary issue on 3-4-1989:—

"Whether the II party management proves that it has conducted the D.E. in accordance with Law?"

5. On the preliminary issue (Domestic Enquiry), on behalf of the II party M.W. 1 Aravindakshan, Asstt. Manager, FCI, who conducted the D.E. against the I party has been examined.

6. On behalf of the I party he has got himself examined on the preliminary point.

7. My Learned Predecessor by his considered order dt. 16-8-89 has set aside the D.E. held against the I party. He has come to the conclusion that the D.E. was not in accordance with Law. My Learned Predecessor has permitted the II party to adduce evidence and prove its case.

8. Subsequent to the setting aside of the D.E., on behalf of the II party M.W. 2 K. Narayan, Watchman, M.W. 3 T.S. Narayan who was working at K. R. Nagar as Asst. Grade III, M. W. 4 Abdulla, Head watchman, from whose hands, it is alleged, the I party snatched the register and made unauthorised entry M.W. 5 Subramanyam who gave the report of theft against the I party, M.W. 6 Narayanamurthy, Asst. Manager, FCI have been examined.

9. On behalf of the I party he has got himself recalled and examined again.

10. As has already been stated, my Learned Predecessor, after setting aside the D.E., has given an opportunity to the II party to prove its case.

11. Ex. M.2 is the charge sheet. As per Ex. M.2 the three charges against the I party workman are :—

- (i) that the workman who was the watchman when he was on off on 28-5-93 entered the 'B' compartment and dragged a bag of wheat with the intention of stealing it. At that time when the duty watchman R. Narayanan and others rushed to spot, the I party left the bag and went to his quarters. The I party workman fell on the feet of AG. I(D) and asked for excuse. When he was instructed to give it in writing, he refused to give it in writing and threatened the AG. I(D).
- (ii) The I party workman gave a representation for transfer from K. R. Nagar (Mysore District) to K.R. Puram (Bangalore). In his representation dt. 4-6-83 he asked for a transfer on the ground that he had already admitted his children in Fathima Convent, Narayanapuram, Bangalore. His statement in the representation that his children were studying in Fathima Convent, Narayanapuram is false.
- (iii) The I party who was drafted for the second shift from 2.00 p.m. to 10.00 p.m. at Narayanaswamy Godowns on 6-4-83 was relieved by watchman Shivamurthy at 10.00 p.m., after I party Sannathammaiah was relieved, he entered the watch and ward room and snatched the duty register from the head watchman Abdulla and made un-authorised entry of his name in the register to show that he had performed double duty. When questioned about the unauthorised entry, the I party watchman, who was under the influence of alcohol said "who are you to question me. I have no fear of anybody including AM(D)/DM/BM". He also uttered all kinds of un-parliamentary words at the head watchman Abdulla. Thus he has failed to maintain absolute integrity and devotion to duty. He has disobeyed the orders of supervisors, he used abusive language against superiors.

Thus the I party workman (Watchman) Sannathammaiah contravened regulation 31 and 32 of FCI Staff Regulation 1971.

12. The evidence has to be discussed since the II party has been called upon to justify its action in dismissing the I party workman as per Ex. M. 8.

13. I will take up charge No. 2 first. The case of the II party is that the I party workman gave a false representation as per Ex. M. 6 (M. 15 is the original of Ex. M. 6) praying for a transfer from K R Nagar, Mysore Districts to K R. Puram, Bangalore on the ground that he had already admitted his children in Fathima Convent. The explanation offered by I party workman in his evidence is that he had given transfer application as per Ex. M. 6 and he does not know reading and writing English. He has read upto 7th std. in Kannada medium. The I party workman has stated in his evidence that Ex. M. 15 was typed in the office. He has stated that he had told the typist that he wanted to admit his children to Fathima convent, but he did not tell him that he had already admitted his children to Fathima convent. The I party has further stated in his evidence that his children were then studying at Bangalore in Nagarapalaya Govt. School just about 3/4th of a mile from Fathima Convent. I party workman has stated that he did not get clarified after Ex. M. 15 was typed.

14. It bears repetition. The case of the II party is that the I party represented for the sake of transfer that he had already admitted his children to Fathima Convent at Bangalore. The explanation offered by I party is that he told the typist that he wanted to admit his children to Fathima Convent. The I party has stated that his children were studying in Govt. School 3/4th of a mile from Fathima Convent. He has stated that he has not given intentionally any false information for the sake of a transfer. Bearing in mind that I party studied in Kannada only upto 7th std. there is nothing strange if some typing mistake has crept in Ex. M. 15. Since children of I party were already studying

at Bangalore in the Govt. School nearby Fathima Convent, the explanation offered by the I party that he told the typist that he wanted to admit his children to Fathima Convent, but it has been wrongly typed to the effect that he had already admitted his children to Fathima Convent looks highly probable.

15. Another salient point with regard to the alleged false information with a view to getting transfer should be noticed. The children of the I party workman were admittedly studying in Govt. School at Bangalore. It does not make any difference in the circumstances of the case whether they were studying in Fathima Convent or Govt. School. The fact remains same that they were studying at Bangalore. More importantly, the II party has not effected the transfer of the representation of I party. It is not the case of the II party that it gave a transfer on the ground that the children of I party were studying in Fathima Convent, only in Fathima Convent.

16. For the aforesaid reasons I am of opinion that the II party for reasons best known to itself, has made a mountain out of a mole hill. Law does not take note of trifles. I hold that charge No. 2 is not proved.

17. While discussing the evidence on charges 1 and 3, the fact that the II party chose to investigate a trivial mistake committed by the II party in his representation has to be borne in mind. It appears that the II party wanted to give the dog a bad name and hang him.

18. I have set out in para 11(i) charge No. 1 against the I party workman. It relates to I party workman attempting to commit theft of one bag of wheat.

19. It is clearly stated in charge No. 1 that when Watchman M.W. 2 Narayana and M.W. 5 Subramanyam, AG I (D) and M.W. 3 T.S. Narayana who was working as Asst. Grade III came to spot on hearing the noise, the I party left bag there and went to his quarters.

20. M.W. 2 Narayana (watchman) has stated in his evidence that on seeing the I party taking one bag of wheat he (M.W. 2) shouted and told the Asst. Depot Superintendent M.W. 5 Subramanyam about the I party taking away one bag of wheat. He has stated that Asst. Depot Superintendent (M.W. 5) and office staff came to spot and Sannatham-maiah left the wheat bag and went away to his quarters. But the Asst. Depot Superintendent (M.W. 5) has given a totally different version in his evidence even in examination-in-chief. He has stated that the watchman M.W. 2 Narayana shouted that one bag of wheat was carried by I party. He has stated that he and other staff rushed to the spot from where they heard the shouting. M.W. 5 has clearly stated that when they went they found the wheat bag inside the quarters of I party. M.W. 2 Narayana (watchman) and M.W. 3 T. S. Narayana have stated that the I party left the bag on the spot and went away to his quarters. M.W.s 2 and 3 do not say that the wheat bag was in the quarter of I party. But M.W. 5 Subramanyam who was with M.W.s. 2 and 3 has stated that when they went on hearing the noise, the wheat bag was inside the quarters of I party. Thus there is a serious contradiction on a material particular which gives the go by to the case of the II party that the I party tried to commit theft of a bag of wheat.

21. The Asst. Depot Superintendent M.W. 5 has stated in his evidence that he reported the matter to the District Manager as per Ex. M. 14. In Ex. M. 14 the M.W. 5 has stated that when he and other staff rushed to spot, I party left the bag and went away to his quarters. M.W. 5 in his evidence before the Tribunal has given a different version. In Ex. M. 14 he stated that the I party left the bag at the spot and went away to his quarters. But in his evidence before this Tribunal he has stated that the wheat bag was in the quarters of the I party when they went. This discrepancy also shows that the incident of theft alleged against the I party is false.

22. I have already stated that Ex. M. 14 is the report made by M.W. 5 in respect of the alleged attempt of theft by I party. The incident has happened on 28-5-83. But M.W. 5 has made the report as per Ex. M. 14 only on 31-5-83, two days after the incident. If the incident were true, mind you it has happened according to M.W.s about 3.30 pm on 28-5-83, he

would have reported it on the same day. The fact that report Ex. M. 14 has been made two days after the alleged incident sheds lurid light on the incident alleged by II party against the I party.

23. For the reasons stated in paras 18 to 22, I hold that charge No. 2 is not proved.

24. Now I take up charge No. 3. The sum and substance of charge No. 3 is that the II party sanctioned the duty register from Head watchman Abdulla (M.W. 4) and made an unauthorised entry in the duty register showing he had performed double duty, though he had not done it.

25. At the outset it should be observed that the register in which the I party snatched and made unauthorised entry has not been produced. It was obligatory on the part of the II party to produce the register and show which is the exact unauthorised entry made by the I party. M.W. 4 Abdulla Head watchman has stated that he made report as per Ex. M. 13. Ex. M. 13 is in English. M.W. 4 has not stated to whom he reported the matter and who wrote Ex. M. 13. It looks to me that Ex. M. 13 has been concocted. Charge No. 3 says that the I party workman was under the influence of alcohol at the time of the incident. M.W. 4 does not say in his evidence before the Tribunal that the I party was drunk. In charge No. 3 in Ex. M. 2 the exact phrases of threat used by I party have been set out. But M.W. 4 Abdulla except stating that I party abused him, has not stated before the Tribunal the exact phrases of threat. This is also a serious discrepancy.

26. For the reasons stated in paras 24 and 25, charge No. 3 is also not proved.

27. Since the charges against the I party workman as per Ex. M. 2 are not established, he is entitled for reinstatement.

28. My Learned Predecessor has set aside the D.E. In view of the Law laid down in AIR 1990 S.C. 2174 (Tesaraj Gupta v/s. Industrial Tribunal), the I party is entitled to full back wages.

29. All other documents and evidence not referred to by me are not relevant. In any case they do not alter my conclusions reached above.

AWARD

The order passed by the II party as per Ex. M 8 dismissing the I party from service is set aside.

The II party is directed to reinstate the I party with continuity of service and full back wages from the date of dismissal.

Reference accepted and award passed as stated herein.

Legal Aid Board Advocate's fee fixed at Rs. 500.

(Dictated to Stenographer, taken down by him, got typed, corrected and signed by me).

M. B. VISHWANATH. Presiding Officer

नई दिल्ली, 6 जुलाई, 1992

का.आ. 2057.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार फुड कारपोरेशन ऑफ इण्डिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-7-92 को प्राप्त हुआ था।

[संख्या एल—22012/268/90—आई आर (सी-II)]

राजानाल, डैस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2057.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on 4-7-1992.

[No. L-22012/268/90-IR (C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 2/1991

In the matter of dispute between :

The State Secretary, Bhartiya Khadya Nigam Karam-
chari Sangh, Habibullah Estate, Lucknow.

AND

Regional Manager, Food Corporation of India, 16 habi-
bullah Estate, Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-22012/268/90-I.R. (C-II) dated 8-1-91 has referred the following dispute for adjudication to this Tribunal:—

Whether the Zonal Manager, Senior Management, FCI were justified in imposing a penalty of stoppage on one increment with cumulative effect for one year vide their order dated 29-10-83 in violation of principles of natural justice and also not grant of additional increment w.e.f. 24-5-84 on completion of 8 years and also withdrawal of promotion order w.e.f. 2-8-86? If not, to what relief the workman concerned is entitled to?

2. On 1-6-92, the Union through its secretary moved an application which was also signed by Sri T. B. Singh, the authorised representative for the Union. Sri Singh submitted before the Tribunal that the dispute be treated as withdrawn.

3. In view of the statement made by the authorised representative for the Union, there remains no dispute in this case and as such the reference is decided accordingly.

4. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 6 जुलाई, 1992

का.आ. 2058.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार तिलाबोनी कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-7-92 को प्राप्त हुआ था।

[संख्या एल-22012/174/91-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2058.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government In-

dustrial Tribunal, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Tilaboni Colliery, of their workmen, which was received by the Central Government on 2-7-92.

[No. L-22012/194/91-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 8/92

PRESENT:

Shri N. K. Saha, Presiding Officer.

PARTIES:

Employers in relation to the Management of Tilaboni
Colliery, P.O. Ukhra, Dist. Burdwan

AND

Their workman.

APPEARANCES:

For the Employers—Sri P. K. Das, Advocate.

For the Workman—None.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 3rd June, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/194/91-IR (C-II) dated 8th January, 1992.

SCHEDULE

"Whether the action of the management of Tilaboni Colliery, P.O. Ukhra, Dist. Burdwan, in dismissing Sri Laba Majhi, U/G Loader w.e.f. 24-3-90 is justified? If not, to what relief is the concerned workman entitled to?"

2. Sri P. K. Das the learned Advocate for the management is present. But nobody is present for the union and no step is taken by the union. The reference was received on 15-1-92 by this Tribunal. But the union has failed to file the written statement in last 4-1/2 months. It indicates that the union is no longer interested to proceed with the case. So I find no other alternative but to pass a no-dispute award. Accordingly a no-dispute award is passed.

N. K. SAHA, Presiding Officer

नई दिल्ली, 7 जुलाई, 1992

का. आ. 2059.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिदुली कोलियरी ऑफ मैमर्स ई. सी. लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-1992 को प्राप्त हुआ था।

[संख्या एल-22012/54/80-डी IV (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 7th July, 1992

S.O. 2059.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Siduli Colliery of M/s. E. C. Ltd. of their workmen, which was received by the Central Government on 1-7-1992.

[No. L-19012/54/80-D IV(B)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 48/89

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Siduli Colliery of M/s. Eastern Coalfields Ltd.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri P. K. Das, Advocate.

For the Workmen—Shri Arun Gupta, Representative of the Union.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 30th June, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the dispute vide their Order No. L-19012(54)/80-D.IV(B) dated 25-9-81 to the Central Government Industrial Tribunal No. 3, Dhanbad for adjudication. Subsequently by Order No. L-19012(54)/80-D.IV(B) dated 6-11-82 the dispute was transferred to the Central Government Industrial Tribunal, Calcutta for adjudication. Lastly by Order No. L-19012(54)80-8 IV B/IRCC II dated 21-9-89 the dispute has been again transferred to this Tribunal for adjudication :—

SCHEDULE

“Whether the non-employment of 46 workmen mentioned in the annexure in Jambad Kajora Unit of Siduli Colliery of East in Coalfields Limited with effect from 1975 was justified? If not, to what relief are the concerned workmen entitled?”

ANNEXURE

1. Sri Bedesi Das
2. Sri Mona Das
3. Sri Sukhan Shaw
4. Sri Mahabir Shaw
5. Sri Ram Brij Yadav
6. Sri Ramjee Yadav
7. Sri Chandrika Yadav
8. Sri Jalim
9. Sri Shakti Maji
10. Sri Jagdish Bhuia
11. Sri Kesho Bhuia
12. Sri Arjun Bhuia
13. Sri Barhoo Bhuia
14. Sri Chitta Ranjan Maji
15. Sri Dasarath Das
16. Sri Ram Yeyash Harijan
17. Sri Achha Lal Yadav
18. Sri Seo Yadav

19. Sri Govind Yadav
20. Sri Jiban Aherjee
21. Sri Pradip Acherjee
22. Sri Somar Das
23. Sri Seo Chand Yadav
24. Sri Sona Lal Maji
25. Sri Panchu Kole
26. Sri Kansu Yadav
27. Sri Chottan Yadav
28. Sri Arjun Shaw
29. Sri Seo Kumar Paswan
30. Sri Doman Jadav
31. Sri Ganesh Yadav
32. Sri Akleswar Yadav
33. Sri Dhaneswar Bhuia
34. Sri Ram Sahai Passi
35. Sri Konda Gowala
36. Sri Sitaram Yadav
37. Sri Sukh Lal Maji
38. Sri Sew Janam Yadav
39. Sri Nithu Dhangar
40. Sri Dayaram Yadav
41. Sri Hameswar Yadav
42. Sri Bikrama Chouhan
43. Sri Mohan Chouhan
44. Sri Deo Narain Sonar
45. Sri Motilal Routh
46. Sri Ram Dulare Harijan.

2. The case of the union in brief is that the 46 concerned workmen named in the Schedule of Reference were engaged by the employer of Jambad Kajora Colliery before nationalisation and they worked there under the private management till nationalisation and thereafter under the Eastern Coalfields Ltd., and their services were terminated in February, 1975. The management just to deprive the workers of their legitimate benefits had been showing them as employees recruited through contractors. But the management had no contract work for engagement of these workmen and there was never any licensed contractor. That in view of the principles laid down by the Hon'ble Supreme Court these employees were the direct employees of the management. The present workmen were allotted work relating to mining operation and these works come under the prohibited category. The workmen through their union approached the management to employ them, but the management turned deaf ears.

The attempts of conciliation failed and the matter was sent to the Ministry of Labour, Government of India. Ultimately the Ministry of Labour has referred the dispute to this Tribunal for adjudication.

3. The management of Eastern Coalfields Limited has filed written statement contending inter-alia that the basic claim of the union is false. The present 46 workmen were never engaged by the private employer and they also never worked directly under the present management of Eastern Coalfields Limited as claimed by them. The management knows only 17 persons named in the Annexure-I of the written statement. Those 17 persons were found working under contractor Sri Ajodhya Mistry. It is also denied that the present workmen were ever engaged as productive workers and their work cannot be considered as basic work of mining operation. The management has denied all the material averments of the written statement filed by the union.

4. In this case Sri Arun Gupta the learned Representative of the union has raised the following points :

- (a) All the 46 workmen of this case were engaged by the employer of Jambad Kajora Colliery in January, 1972 and they worked upto 30-4-73 under the private management.
- (b) From 1-5-73 (the date of nationalisation) all those 46 workmen continued to work under Eastern Coalfields Ltd., in Siduli Colliery and worked upto February, 1975 and then the services were terminated.
- (c) If it is found that those 46 workmen were contract labours and worked for the principal employer, then they should be treated as regular employees on the principles laid down in the cases reported in 1990 Lab. I.C. page 1968, 1988 LLJ(I) page 730 and 1978 ILJ(II) page 397.

5. So, for the sake of convenience let us consider together the first two points raised by Sri Gupta.

At the very outset he has urged before me that the present workmen were engaged by the private management in January, 1972 and they continued to work even after nationalisation and worked till February, 1975. To substantiate that claim he has taken me through the letter in page 145 of the file, statement of Ajodhya before the A.L.C. dated 7-4-80, para 10 of their written statement, Statement of MW-1 Sri B. K. Bakshi, Statement of WW-1 Chandrika Yadav and statement of MW-2 Sri C. Tafadar. With due respect to his contention I find that there is nothing positive in those statements and documents to come to a finding that the present workmen worked under the old management as direct workers and they also continued to work under Eastern Coalfields Ltd., as direct workers.

In this case practically a cast load of documents have been filed by the management. But the union has failed to find out any piece of relevant document to show that the present workmen were directly under the old management and thereafter under Eastern Coalfields Ltd. Sri Gupta has urged before me that the Court should consider the circumstantial evidence to come to a finding in support of the claim of the union. With due respect to his contention I like to say that there is no convincing circumstantial evidence in this case to come to a finding in support of the claim of the workmen. So I find that the union has failed to substantiate its claim that the present 46 workmen were direct employees of the Jambad Kajora Colliery before nationalisation and they continued to work under the Eastern Coalfields Ltd., as direct workers.

6. Now let us consider the last point raised by the union. It is the contention of the union that if it is found that they were not direct employees of the management, then this Tribunal must hold that all of them were contract labours who worked under the principal employer. On this point also I find that the union has signally failed to substantiate this alternative claim. There is no convincing evidence to come to a finding that all the 46 workmen were contract labours.

But in the written statement the management has admitted that only 17 persons named in Annexure-I of the written statement were found working as contract labours. This admission of the management is enough to come to a finding that at least these 17 persons worked as contract labours under the management of Eastern Coalfields Ltd. Sri Arun Gupta the learned representative of the union has urged before me during the conciliation proceedings it was the stand of the management that 18 persons worked as contract labours and Sri B. K. Bakshi MW1 has stated that there were less than 30 workmen under the contractor. By pointing out the same Sri Gupta has urged before me that this Court should find that at least 18 persons worked under the contractors and not 17 persons as named by the management. But he could not satisfy regarding that one person beyond the list given in Annexure-I. In the written statement the management has clearly stated that there were only 17 persons under the contractor. So considering the materials on record and the facts and circumstances I am unable to look eye to eye with Sri Gupta. I find that all the 17 persons named in Annexure-I of the written statement were contract labours who worked after nationalisation under the Eastern Coalfields Ltd., through contractor.

7. Now comes the question whether those 17 persons can be treated as the workers of the principal employer as claimed by Sri Gupta in view of the principles laid down in the decisions cited by him (noted in Point 'C') Against those decisions Sri P. K. Das the learned Advocate for the management has cited before me the cases reported in 1985 AIR(SC) page 409, 1972 Lab. I.C. page 760, 1992 Lab. I.C. page 75, 1985 L.J.(D) page 492, 1962 AIR (SC) page 14, 1983 Supreme Court Cases page 289, 1992 Supreme Court Cases page 349 and has taken me through the provisions laid down in Sections 7, 12, 23 and 24 of the Contract Labour (Regulation and Abolition) Act. Considering the latest position of law I find that there is no scope for this Tribunal to treat the contract labours as workers of the principal employer.

8. In the result I find that the management of Eastern Coalfields Ltd. had no legal obligation to employ the present 46 workmen as mentioned in the Schedule of Reference and the action of the management on that score was justified.

9. Sri Gupta the learned representative of the union has made a sentimental appeal before this Tribunal. He has urged before me that the present workmen were exploited by the old management and they are now being neglected by the present management. He has urged before me that after nationalisation the management of Eastern Coalfields Ltd., has engaged a good number of employees but ignore the claim of the present workmen though they were found working under Eastern Coalfields Ltd., as contract labours. He has urged before me that this Tribunal must make some provision for these workmen. With due respect to his submission I humbly like to say that this Tribunal has no such power. But on humanitarian ground it is desired by the Tribunal that at least the following 17 workmen shall be given appointment by the present management of Eastern Coalfields Ltd., against any existing and future vacancy considering their capability and medical fitness provided they have not crossed the age of superannuation. For determination of their age the management shall accept any statutory certificate if produced, otherwise the age shall be determined by the Apex Medical Board.

1. Bedesi Das
2. Mona Das
3. Sukhan Shaw
4. Ramjee Yadav
5. Chandrika Yadav
6. Jallm
7. Jagdish Bhuia
8. Kesho Bhuia
9. Arjun Bhuia
10. Barhoo Bhuia
11. Dasarath Das
12. Ram Keyash Harijan
13. Achha Lal Yadav
14. Sona Lal Maji
15. Kanshi Yadav
16. Seo Kumar Paswan
17. Sukh Lal Maji

For such appointment the abovenamed 17 workmen shall submit application to the management of Eastern Coalfields Ltd., with complete bio-data within three months from the date of publication of the award. The other persons named in the Schedule of Reference are not entitled to get any relief.

This is my award

N. K. SAHA, Presiding Officer

नई दिल्ली, 7 जुलाई, 1992

का. श्रा. 2060.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बनसरा कोल्यरी अन्डर कुनुस्तोरिया एरिया ऑफ ई. सी. लि. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-7-92 को प्राप्त हुआ था।

[संख्या एल-22012/90/91-गार्ड ग्राग (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 7th July, 1992

S.O. 2060.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bansra Colliery under Kunustoria Area of E.C. Ltd. of their workmen, which was received by the Central Government on 6-7-1992.

[No. I-22012/90/91-IR (C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, ASANSOL

Reference No. 30/91

PRESENT:

Shri N. K. Saha, Presiding Officer.

PARTIES:

Employers in relation to the Management of Bansra
Colliery under Kunustoria Area of M/s. E.C.
Ltd.

AND

Their Workman.

APPEARANCES:

For the Employers—Sri P. Banerjee, Advocate.

For the Workman—Sri A. Mukherjee, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

Dated, the 9th June, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. 1-22012/90/91-IR (C-II) dated the 29th July, 1991.

SCHEDULE

"Whether the action of Bansra Colliery of M/s. ECL, P.O. Bansra, Dist. Bardwan in reverting Shri Manager Singh, Gr. II Clerk to Gr. III Clerk w.e.f. 6-10-82 is justified? If not, to what relief is the concerned workman entitled?"

2. The case of the union in brief is that Sri Manager Singh is a Grade-II Clerk in Bansra Colliery under Eastern Coal-fields Ltd. On 26-12-75 he was chargesheeted on various charges and the concerned workman gave a reply refuting all the charges. But the management was not satisfied with the reply. The management started a proceeding to hold departmental enquiry into the charges levelled against the concerned workman. The purported enquiry was a sham one only to victimise the workman and it was not properly and fairly held. On the basis of the perverse finding of that domestic enquiry the workman was reverted to the post of a Clerk Grade-III and his promotion was also withheld for one year by a letter dated 8-10-82.

The concerned workman challenged the enquiry and the punishment meted out to the workman. But the employer refused to review his case. There was an attempt for conciliation but it failed.

3. The Ministry of Labour, Govt. of India referred the dispute to this Tribunal. But during the course of the proceeding it was found that the issue framed in the schedule of Reference was defective. So the dispute was withdrawn from the side of the union with a leave. Thereafter a fresh attempt for conciliation was made but to no effect. Ultimately the dispute has been referred to this Tribunal for adjudication.

4. The management has filed written statement contending inter-alia that the present Reference is not maintainable as the union has no locus-standi to raise the instant dispute and not even authorised properly by the concerned workman. There was no resolution for sponsoring the dispute by the Managing Body for the Managing Committee of the union. The Failure Report of the A.L.C. to the concerned Ministry is not fair and impartial and the referring authority did not apply their mind at all.

Sri Manager Singh, the concerned workman was chargesheeted for committing forgery of records and misappropriation of company's funds by making false entries. He

was found guilty in the domestic enquiry. On the basis of the findings of the domestic enquiry he was reverted to the post of lower grade and his promotion was withheld for one year. The workman accepted that post and did not raise any dispute till 21-6-87 without explaining the cause of delay. The Ministry of Labour referred his dispute which was registered in this Court as Reference No. 34/89 with the following schedule:

"Whether the action of the Management of Bansra Colliery of M/s. E.C. Ltd. in denying upgradation to Sri Manager Singh, Bill Clerk w.e.f. 7-10-83 is justified? If not, to what relief the concerned workman is entitled?"

The Employer had no statutory obligation to maintain the documents which were misplaced in the meantime. The union coming to know about that fact had withdrawn the earlier dispute and initiated a fresh dispute challenging the reversion order. That reversion order was passed on a finding of a proper enquiry which was not challenged. That enquiry was properly and fairly conducted. So the present Reference is not maintainable and the workman is not entitled to get any relief.

5. At the very outset Sri Banerjee the learned Advocate for the management had urged before me that the union has no locus-standi to raise the dispute. Considering the materials on record and the facts and circumstances I find that the present dispute was raised before the A.L.C. and on failure of the conciliation proceeding the matter was sent to the Ministry. After withdrawal of the first Reference Case there has been again Reference by the Ministry to this Tribunal for adjudication of this case. I find that those objections were not taken at the initial stage by the management. Moreover, I find that it is a very technical objection. I find that the union has the authority to raise the dispute on behalf of the workman.

6. Secondly Sri P. Banerjee the learned Advocate for the management has urged before me that by conduct the workman has accepted the punishment. So he cannot get any relief in this case.

Admittedly prior to this Reference case the dispute was referred to this Tribunal which was registered as Reference Case No. 34/89. But that Reference Case was withdrawn by the union. After that the Ministry of Labour has again referred the dispute with a fresh schedule. Sri Banerjee with all force has urged before me that there was inordinate delay in raising the dispute and for that this Tribunal must not consider the case of the union. But I am unable to look eye to eye with him as the law of limitation is not known to the arena of industrial disputes. From the materials on record I find that the schedule of Reference Case No. 34/89 is against the claim of the workman. So I find that it was rightly withdrawn and the Ministry has also rightly referred the dispute second time to this Tribunal for adjudication.

7. Sri Banerjee has urged before me that the union has taken the advantage of the fact that the documents of the enquiry proceedings are missing. It may be that the union has taken the advantage of such fact but for that the union cannot be blamed. Rather the union is to be praised as it has come for the benefit of the workman. So, considering all the facts and circumstances of the present case I find that the workman did not accept the punishment though there was delay in raising the dispute.

8. Now we are to look into the merit of the case. Admittedly the workman was chargesheeted on 26-12-75 on the allegation that he had committed forgery and misappropriated company's money. The workman submitted his reply refuting all the charges. The management was not satisfied with the reply and held a domestic enquiry against the workman. The union has come with the story that the enquiry was not properly and fairly held. So it is incumbent upon the management to produce the entire record of the domestic enquiry proceedings and other relevant documents to prove that the domestic enquiry was properly and fairly held observing all the principles of natural justice. But in the instant case the management has failed to produce

the domestic enquiry proceedings and other relevant documents on the plea that all the documents and record of proceedings are missing. But in the judicial proceeding on such submission the finding of the domestic enquiry cannot be upheld and it cannot be held that the domestic enquiry was properly and fairly held. As the management has failed to produce the record of the domestic enquiry proceeding, and other relevant documents. I find that the domestic enquiry was not properly and fairly held. I further find that the charge levelled against the workman were not proved by any cogent evidence. So the findings of the alleged domestic enquiry is hereby set aside.

9. In the result I find that the reversion order of Sri Manager Singh w.e.f. 6-10-82 was not justified. He shall be given all the pecuniary benefits and other service benefits holding that he was not reverted to the post of Grade-III Clerk w.e.f. 6-10-82.

This is my award.

N. K. SAHA, Presiding Officer

नई दिल्ली, 7 जुलाई, 1992

का.आ. 2061.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार नटुडंगा कोयलोरी ऑफ मैसर्स ई. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6/7/92 को प्राप्त हुआ था।

[संख्या एल-24012/154/87-डी IV (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 7th July, 1992

S.O. 2061.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Nutandanga Colliery of M/s. E.C. Ltd. of their workmen, which was received by the Central Government on the 6th July, 1992.

[No. L-24012/154/87-D.IV(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 36/88

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Nutandanga Colliery of M/s. E.C. Ltd.

AND

Their Workmen.

APPEARANCES :

For the Employers—Sri P. K. Das, Advocate.

For the Workmen—Sri M. Mukherjee, Advocate.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 29th June, 1992

1825 GI/92—9

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-24012(154)/87-D. IV(B) dated the 29th April, 1988.

SCHEDULE

"Whether the action of the Management of Nutandanga Colliery of M/s. E.C. Ltd., P.O. Nutandanga, District Burdwan (WB) in denying regularisation to S/Sri Balai Bourri, Mason Mistry, Jaldev Pan, Rabi-lal Ghosh, Mahabir Gope, Haradhan Dewasi, Dija Das, Rodi Kal, Adhir Dome, Tarapada Mal, Kalipada Das and Nabani Dhan Pal, all Mazdoors, is justified? If not, to what relief are the concerned workmen entitled?"

2. The case of the union in brief is that all the 11 workmen of this case were continuously working at Nutandanga Colliery under Eastern Coalfields Ltd., in underground jobs as deployed by the local administration through contractors both before and after take over of the non-coking coal mines and continued to be so deployed till 1973. Such deployment of workers on jobs undergrounds connected with the coal production was violative of the provisions of the Contract Labour (Regulation & Abolition) Act. There was serious hue and cry from trade unions and as well as political parties in Parliament. The Government decided to abolish the contract labour system and the contractors' workmen were taken on the roll of the company sometime in 1974. In Nutandanga Colliery there were some other workers working under contractors and they were taken on the roll of the company. But for the reasons best known to the company the present 11 concerned workmen were left out.

The attempts of conciliation ended in failure. The matter was sent to the Ministry of Labour, Government of India. Ultimately the dispute has been referred to this Tribunal for adjudication.

3. There was no reason for such discrimination done by the management in case of the present 11 workmen. So the union has prayed that the present workmen may be absorbed in the roll of the management w.e.f. 1st April, 1974 and they may be paid the arrear wages and consequential benefits.

4. The management has filed written statement containing inter-alia that the present Reference is not maintainable. The workmen never worked under the management. There was no employer and employee relationship. So the question of regularisation of the present workmen does not arise. The present workmen were the employees of different contractors and were engaged for various jobs as per work order and terms of contract.

5. It is the clear case of the Union that the present workmen were the contract labours under contractors at Nutandanga Colliery from before nationalisation of non-coking coal mines and they continued to be so deployed even after nationalisation. This fact has not been challenged from the side of the management. On the other hand in para 7 of the written statement of the management it has been clearly admitted by the management that the present workmen were the employees of different contractors engaged for various jobs as per work order and terms of contract. So considering the materials on record and the facts and circumstances, I have no hesitation to find that the present workmen were never the direct employees of the management both before and after nationalisation. But I find that the present workmen worked as contract labours for various jobs underground continuously from before nationalisation and they continued to be so deployed even after nationalisation.

6. Sri Manoj Mukherjee the learned Advocate of the union has cited before me the cases reported in Lab. I.C. 1990 page 1968, 1988 LLJ(I) page 730 and 1975 LLJ(II) page 397 and he has urged before me that as the present workmen were contract labours and worked for principal employer, they should be treated as workers of the principal employer and they should be regularised in the roll of the management w.e.f. 1st July, 1974. As against that Sri P. K. Das the

learned Advocate for the management has cited before me the cases reported in 1985 AIR(SC) page 409, 1992 Lab. I.C. page 75, 1972 Lab. I.C. page 760, 1985 LJ(JI) page 492, 1962 AIR(SC) page 14, 1983 Supreme Court Cases page 289, 1972 Supreme Court Cases page 349 and has taken me through Sections 7, 12, 23 and 24 of the Contract Labour (Regulation & Abolition) Act. By placing those cases and the provisions of Contract Labour (Regulation & Abolition) Act he has urged before me that the principles laid down in the cases cited by Sri Manoj Mukherjee have lost all force in view of the latest decision of the Hon'ble Supreme Court. Considering the latest decision of the Hon'ble Supreme Court I have no hesitation to say that at present there is no scope for treating the present workmen as the workers of the principal employer. I find that the management had no obligation to regularise the present concerned workmen in the roll of the company. So I find that the management was justified in denying the regularisation of the present workmen.

8. Be that as it may, Sri Manoj Mukherjee the learned Advocate for the workmen has made a sentimental appeal before this Tribunal. He has urged that the private management exploited the present workmen and the workmen are now neglected by the Government Undertaking. He has urged before me that there was discrimination. So on humanitarian ground the present workmen must be employed by the management. He has taken me through the written statement filed by the union. In the written statement of the union it has been clearly mentioned that some other workmen who worked like the present concerned workmen under contractors were absorbed in the roll of the management. But no reason was given as to why the present workmen were not taken in the roll of the management. These averments of the written statement of the union have not been specifically denied by the management. Sri Manoj Mukherjee the learned Advocate for the union has cited before me the cases reported in 1984 LJ(JI) page 161, 1984 Lab. I.C. page 182 and 1978 LJ(JI) page 340 to show that the Hon'ble Courts have always condemned discrimination. As the story of discrimination as advanced from the side of the union is not denied, I have no hesitation to hold that the management made discrimination by not taking the present workmen in the roll of the management by giving appointment.

9. In the result I find that on the face of the schedule of Reference the concerned workmen are not entitled to be regularised. But the management must give employment to the present workmen as they made discrimination by not taking the present workmen in the roll of the management like the other contract labours so taken on the roll of the management.

For that the present workmen must file fresh separate application for appointment before the authority giving their complete bio-data. The management shall engage them against existing and future vacancy if they have not crossed the age of superannuation considering their efficiency, capability and medical fitness. The age of the workmen shall be determined on the basis of any statutory certificate produced by them. Otherwise the age of the workmen shall be determined by the Apex Medical Board.

This is my award.

N. K. SAHA, Presiding Officer

नई दिल्ली, 7 जुलाई, 1992

का. घा. 2062.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू. सी. लि. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, प्रबन्ध में निदिष्ट औद्योगिक विवाद में मध्यस्थ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-7-92 को प्राप्त हुआ था।

[संख्या एम-22025/1/92-आई प्रार (सी-II)]

राजा लाल, हेडक अधिकारी

New Delhi, the 7th July, 1992

S.O. 2062.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Arbitrator Shri M. G. Wanare as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of W. Co. Ltd. of their workmen, which was received by the Central Government on the 1-7-1992

[No. L-22025/1/92-IR (C-II)]
RAJA LAL, Desk Officer.

ANNEXURE

BEFORE SHRI M. G. WANARE, FORMERLY DEPUTY CHIEF LABOUR COMMISSIONER AND ARBITRATOR, UNDER SECTION 10-A, SUB-SECTION (1) OF I. D. ACT, 1947

H. Q. NAGPUR (MAHARASHTRA).

(Gazette of India, Government of India, Ministry of Labour, Notification No. L-22025/1/92-IR(C. II), dated 2nd April, 1992.)

I. D./Arb. (NGP) MGW/92/1 of 1992.

IN THE MATTER OF INDUSTRIAL DISPUTE
BETWEEN

The Management of General Manager, Western Coalfields Ltd., Nagpur Area, Jaripatka, Nagpur, Through the Dy. Chief Personnel Manager, Nagpur Area ... Employer-Management

AND

His workman, Shri Mukesh Maurya, Ex-Driver, A.H.Q. Nagpur Area, Western Coalfields Limited, Jaripatka, Nagpur, Parbati Nagar, Old Post Office Ajni, Nagpur-440 027. Represented by Shri P. K. Dasa ... Workman.

INDUSTRY : Coal

STATE : Maharashtra.

APPEARANCES : For the Management —

1. Authorised representative Shri Arvind Kumar Mehta, Deputy Personnel Manager Western Coalfields Ltd., Nagpur Area, Nagpur.

For the Workman —

1. Shri Mukesh Maurya, Workman himself.

AWARD

The management of Western Coalfields Limited—employer, General Manager, Western Coalfields Limited, Nagpur Area, through Deputy Chief Personnel Manager, Western Coalfields Limited, Nagpur Area, Jaripatka, Nagpur, Maharashtra, hereinafter briefly called as "W. C. Ltd." entered into an agreement under Section 10-A of I. D. Act, 1947, with Shri Mukesh Maurya, Ex-Driver, Nagpur Area, Western Coalfields Limited, Jaripatka, Nagpur, Maharashtra, hereinafter briefly called as "the Workman", for adjudication of this industrial dispute to the arbitration of Shri M. G. Wanare, on the following terms of reference.

"Specific matters in dispute :—

Whether the termination/dismissal of Shri Mukesh Maurya, Driver of the Office of General Manager (N), Nagpur by the management of Western Coalfields Ltd., Nagpur vide their letter No. C-8/WCL/GM/NGP/C-1/11061, dated 17-5-1990 is justified? If not, what relief he is entitled to?"

2. Accordingly, the Government of India, in the Ministry of Labour, issued Gazette Notification in Government of India, Gazette as per statute vide Ministry of Labour, No. L-22025/1/92-IR (C. II), dated 2-4-1992.

2.1 Both the parties simultaneously agreed that the arbitrator shall make award within a period of three months and that the decision of the arbitrator shall be binding on them.

3. I would incidentally mention that both the parties on earlier date agreed by agreement to refer this matter to my

arbitration under Code of Discipline in industry. While the proceedings of arbitration was in progress, both the parties chose to make a reference to the arbitration under Section 10-A of I. D. Act 1947. While the arbitration proceedings under Code of Discipline were on, I received Government of India, Ministry of Labour, Gazette Notification as referred to above i.e. the one under consideration.

4. On receipt of the said Gazette Notification I have commenced the arbitration proceedings de novo. Accordingly first hearing was taken place on 20-4-1992, at Nagpur with due intimation to both the parties in advance. On 20-4-1992 after prolonged discussions a mutually agreed informal procedure to be adopted in this regard was drawn up and the proceedings/hearing were accordingly taken place on various dates on 29-4-1992, 14-5-1992, 8-6-1992 and finally on 18-6-1992 on which date final proceedings were heard and closed for final orders.

5. Both the parties, having filed their respective say, advanced their pleadings.

5.1 The statements of workman have been taken on record and placed on file, it is marked as W-I and W-II.

5.2 The W. C. Ltd. advanced oral pleadings and also supplemented it by its written arguments of the W. C. Ltd. has been taken on record and placed on file, it is marked as M-I.

6. I find the W. C. Ltd. issued dismissal order dated 17 May, 1990 of which text is given below. This order is the cause of action gave rise to this industrial dispute.

"Shri Mukesh Mourya, Driver, Area Hqrs. General Manager's Office, Western Coalfields Ltd., Nagpur Area was issued with a charge-sheet, No. WCL : GM : NGP : C-5/Enq./1534, dated 9-8-1989 by the undersigned. A detailed enquiry into the charges framed against him was ordered by the undersigned vide Memo No. WCL : GM : NGP : C-57/Enq./2086, dated 2-9-1989. The Enquiry Officer appointed to hold such enquiry has completed the same and submitted his report containing his findings.

After very carefully considering the report of the Enquiry Officer, the finding contained therein the evidence recorded and other connected papers, I accept the said findings in their entirety.

Before accepting the findings of the Enquiry Officer, the gravity of misconduct proved, beyond doubt, against Shri Mukesh Mourya, as held by the Enquiry Officer and his past record has been taken into account and I have satisfied myself that there are no extenuating circumstances which would warrant a conclusion and decision other than those reached by the Enquiry Officer. Accordingly I have decided as I hereby do to impose the following punishment on Shri Mukesh Mourya and he is hereby dismissed from the services of General Manager's Office, Western Coalfields Ltd., Nagpur Area with effect from 18th May, 1990. Accordingly he stands dismissed from the services of the General Manager's Office, Western Coalfields Ltd., Nagpur Area and ceases to be in its employment from that date.

Sd./-

MD. TAMIZUDDIN, General Manager, Nagpur Area."

6.1 By the above order the workman was dismissed with effect from 18th May, 1990 for the misconduct which is claimed to have been proved.

6.2 The workman was charge-sheeted for he following misconduct.

Charge No. 1.—Drunkenness, fighting or riotous, disorderly and indecent behaviour while on duty at the place of work.

Charge No. 2.—Habitual Indiscipline.

Charge No. 3.—Threatening, abusing or assaulting any superior or co-worker.

6.3. Proper domestic enquiry was constituted and it held lawful proceedings and that after having examined and cross-examined the witnesses produced by both the parties, the Enquiry Officer in his report found that the workman is guilty of the charges levelled against him. The appropriate authority of W. C. Ltd., awarded to the workman the punishment of dismissal w.e.f. 18-5-1990.

7. The workman advanced pleadings that the charges were baseless, false, fabricated and far from truth and the charges were not conclusively proved in the domestic enquiry and that the enquiry was perverse and illegal. An event of shifting of wireless set from one place to another place was involved and this led to a chain of events and the workman alleged to have committed misconduct for which the workman has been dismissed. The workman also alleged that charge of habitual indiscipline was not established nor conclusively proved and that similarly assault was not proved as no injury was reported. The workman alleged that appointment of Enquiry Officer was not regular and that Enquiry Officer called one witness for collecting additional information and that he was not subjected to cross examination.

7.1 The workman could not be proceeded under the N. C.D.C. Certified Standing Order.

7.2 The workman also pleaded that the punishment awarded was disproportionate to the misconduct proved. The Enquiry Officer acted in partisan manner. There were inconsistencies in Enquiry Officer's report.

7.3 The Workman pleaded that the witness of management of W. C. Ltd., were forced to adduce evidence under pressure and coercion and, therefore, the management was unjust, unfair, and their action was contrary to the principles of holding domestic enquiry and thus the enquiry was farce and it was with malafide intention.

7.4 The workman claimed that his past record was unblemished and clean, therefore, it cannot be said that the workman was habitually indisciplined.

7.5 The Workman pleaded further that there was no man-handling as alleged in chargesheet and that there was no damage to the property i.e. Wireless Set of the W.C. Ltd. and thus the relevant charge of manhandling superior and damage to property of W.C. Ltd. failed and not proved.

7.6 The workman also pleaded that there was no final show cause notice issued before imposing punishment of dismissal which is harsh, extreme, shockingly disproportionate to the nature of offence alleged.

7.7 The workman complained that his appeal went unheeded. The workman cited and relied on certain judicial cases held by Supreme Court in support of his claim.

7.8 The workman also pleaded that there are no words found in Enquiry Officer's report that charges alleged were "proved beyond doubt" and/or "conclusively proved."

8. The W.C. Ltd. argued that the charges levelled against the workman have been proved during the course of duly properly constituted domestic enquiry which conducted its proceedings strictly on the basis of principles of natural justice and that the workman was given more than ample opportunity to defend himself and that he cross examined the witnesses examined during the course of enquiry proceedings and that after having found that the charges were proved as award of punishment was issued to the workman who had availed an opportunity to appeal to the higher authorities of W.C. Ltd. Thus the order of dismissal passed on 17-5-1990 was final and conclusive.

8.1 It has been argued by the W.C. Ltd. that the workman failed to prove as to how the punishment awarded was disproportionate to the misconduct committed by him and that the workman admitted the charges and misconduct committed by him when he made an application seeking sympathetic view. The argument advanced by W.C. Ltd. was that the misconduct committed was of very serious nature and thus the only punishment for such misconduct was to dismiss the workman committing grievous misconduct as there is no place in the organisation for such type of workmen.

8.2 The W.C. Ltd. submitted that the workman has been attempting to challenge and/or reopen the entire enquiry proceedings which is not open to him and that the workman nowhere raised contention that the principles of natural justice was denied to him by the Enquiry Officer and that the contention of the workman that there was not issued second show cause notice before issue of final order. It is submitted that workman has no right to demand second show cause notice as it was not at all mandatory to do so. By not issuing second show cause notice there was no denial of natural justice, fair play to the workman in this dispute.

8.3 The W.C. Ltd. submitted that every document was furnished to the workman as demanded by him during the course of enquiry.

8.4 It was argued by the W.C. Ltd. that the judicial decisions quoted by the workman are not applicable in the present case as facts thereof are entirely different. In view of this, there is no applicability whatsoever of the said citation.

8.5 The W.C. Ltd. concluded its submission by saying that the findings of the Enquiry Officer achieved finality and thus punishment imposed on the workman is absolutely proportionate to the gravity of the misconduct committed and thus no interference is called upon and that the question in reference deserves to be answered in affirmative.

9. The pleadings of the workman did not press for the points on applicability of standing orders. I find this plea was abandoned by the workman in subsequent submissions. I do not think that this issue should be dealt with by me.

9.1 After having heard at length both the parties, the following issues come up for decision.

- (1) Whether the charges levelled against the workman are vague, baseless or the same are really serious and grave?
- (2) Whether the domestic enquiry has been properly held and/or whether principles of natural justice have been observed during the course of enquiry?
- (3) Whether the charges levelled against the workman are proved beyond doubt?
- (4) Whether the competent authority acted properly i.e. whether there was fair play in awarding punishment?
- (5) Whether any interference by Arbitrator is called for?

10. Issues—Decision—Reasoning :

10.1 Issue No. 1. It is revealed from the proceedings of domestic enquiry that this workman abused his superior—Executive Engineer, and behaved in disorderly manner and that particulars of abusive language was specifically given in the charge and I find it is not vague charge. The workman nowhere denied on this count, nor he made contention that the charge was vague.

10.2 On charge of riotous and disorderly behaviour of the workman, I observe that there has been mention in charge sheet this specific charge. The behaviour on this count was not caused by any provocation by the officer concerned i.e. Executive Engineer. This was not case of the workman that there was any provocation to him. It is nowhere stated that the concerned Executive Engineer had indulged in any behaviour which might have caused provocation in workman's subordinate behaviour, disorderly behaviour or riotous behaviour (of the workman). The evidence on record shows that this workman threatened the superior officer and he, therefore, cannot escape the consequences of the plea that it was done in fit of anger—See *Dhragandhra Chemical Works* 1963 LLJ 2. This was argued by workman at one stage.

10.3 There has been available specific evidence, as is found enquiry proceedings before me, connecting this workman the act of disorderly behaviour of holding of hand by force and pulling officer from one place to other in office itself in presence of other employees and the workman abused the officer, the specific language used by workman was recorded by witnesses who were cross-examined by the workman.

10.4 The workman was alleged to have habitually been indiscipline. This charge is denied by the workman. It was argued that the material on this count should not have been used in domestic enquiry as it was as claimed by workman not relevant to the events causing other acts or commissions. The competent authority is not wrong in taking into account the past record of workman while deciding award of punishment to the workman.

11. Answer of Issue No. 1.

11.1 In view of what has been discussed above, I answer the issue No. 1 that the charges levelled against the workman are specific and not vague, baseless as contended by the workman. The charges are of really serious and grave nature.

12. Issue No. 2—Reasoning—Decision :

12.1 Issue No. 2 : It is known that there has been no statutory provisions relating to procedure to hold the domestic enquiry by the employers in dealing with cases of misconduct alleged against their employees though need not conform to all the judicial proceedings, they must however satisfy essentials of natural justice. The Supreme Court laid down guiding principle through judicial pronouncements, the same is that enquiry should be conducted with scrupulous regard from requirement of rules of natural justice that is without bias and by giving the delinquent employee an opportunity for adequately representing his case and that the enquiry must be held honestly and bonafide with a view to determine whether the charge against employee concerned is proved or not, the enquiry does not become an empty formality. The principles of natural justice over periods, is now crystalised into four principles of justice (1962 II LLJ. Cal.) namely :

- “(i) Opportunity for both the contesting parties to be heard;
 - (ii) Hearing before impartial tribunal so that no man can be a judge of his own cause;
 - (iii) Decision made in good faith; and
 - (iv) An orderly course of procedure.
- Apart from this, no other principle of natural justice is known in modern jurisprudence.”
(1962 II LLJ. Cal.).

12.2 The Supreme Court observed in case of *Sur Enamel and Stamping Works Ltd.* (1963 II LLJ) as under :

- “An enquiry cannot be said to have been properly held unless —
- (i) the employee proceeded against has been informed clearly of the charges levelled against him,
 - (ii) Witnesses are examined ordinarily in the presence of the employee—in respect of charge,
 - (iii) The employee is given a fair opportunity to examine witnesses,
 - (iv) He is given a fair opportunity to cross examine witnesses.
 - (v) He is given a fair opportunity to examine witnesses including himself in his defence if he so desires on any relevant matter, and
 - (vi) The Enquiry Officer records his findings with reasons for the same in his report.”

12.3 When I apply the above test to find out the status of the domestic enquiry, I find that the W.C. Ltd. held proper enquiry and that the entire proceedings were held keeping in view of the principles of natural justice. The workman advanced pleadings that there has been inconsistencies and the enquiry was biased and was not proper. After having pleaded this the workman did not show or point out the specific inconsistencies nor the workman brought out any material to show that the enquiry was not proper. The workman made a passing observation as above but did not bring out any material in support of his statement. His statements at W-I and W-II does not come to his rescue to give him prop. The workman did not advance any argument on this count. I find the enquiry was proper and it has been in accordance with the principles of natural justice and it is also in accordance with other judicial pronouncement.

12.4 The workman submitted that one witness was examined or questioned to collect information in addition to what is already with Enquiry Officer. The person Shri Vijay was not cross examined by workman. I find information collected from this source was not at all used or relied upon. This does not affect the status of Enquiry Officer's report.

12.5 I answer the issue No. 2 that the domestic enquiry was held properly and that there was no infirmity therein.

13. Issue No. 3—Reasoning :

13.1 The workman submitted that he did not act in riotous, disorderly or indecent manner though he was charged (Charge No. 1). The enquiry proceedings reveal that the witnesses duly cross examined confirmed that the workman shouted at superior officer i.e. Executive Engineer in presence of other employees when there was no provocation from the officer concerned. This is sufficient to say that the workman's behaviour was indecent and it was not orderly behaviour. The denial of workman on this count do not help workman and absolve him of the charge. The charge No. 3 against the workman was proved to the extent that the workman threatened, abused superior. This has been confirmed by the witnesses duly cross examined by the workman, that abuses were hurled (by workman) at Executive Engineer. It has been very undesirable of the workman to hurl abuses, without any provocation, though even provocation does not absolve him of this charge. This was unbecoming of any workman-employee of any organisation. It cannot be said that the workman was innocent.

13.2 Since the Enquiry Officer has not relied on information given by Shri Vijay it cannot be said that principles of natural justice were not followed. The version of the workman on this count is not acceptable. I reject it.

13.3 The issue No. 3 is answered that charges levelled against workman are proved beyond doubt.

14. Issue No. 4 and 5—Reasoning :

14.1 I am inclined to concede the views of the W.C. Ltd. that there was no mandatory provision for issue of second show cause notice to the workman. By not issuing second show cause notice, miscarriage of justice has not been caused. This does not create any infirmity to the action taken by the W.C. Ltd. nor the dismissal order violates. The plea of workman has no substance on this point. The pleading fails.

14.2 The pleading of non-supply of documents was given up by the workman nor it was pressed in the course of the proceedings. This does not therefore need to be considered by me. Similarly the pleading is made that the Enquiry Officer failed to submit his report within 30 days. The provision of submission of report within 30 days in standing orders is requirement of expediency so that the Enquiry Officer's report is not allowed to be delayed for indefinite period. I find from the day today proceedings before Enquiry Officer was reasonable and fair. The mere delay of submission of report beyond 30 days does not invalidate the report of Enquiry Officer. The enquiry does not stand vitiated as claimed by the workman. The enquiry holds good.

14.3 The workman submitted that the order of dismissal issued by the competent authority did not mention anywhere that he, competent authority, applied his mind and that he has not said the charges are proved beyond doubt, it has been mentioned in the order that the charges are proved conclusively. I am to observe that not using these words, the charges proved on the basis of evidence, does not alter its position (of proved charges). This is basis of issue of dismissal order. The broad question is whether the evidence available before Enquiry Officer in the proceedings proves the charges or not. I find answer to this question is affirmative. This being position not using certain words does not help the workman in any way.

14.4 Once it is proved that the charges levelled against the workman are sustainable, it cannot be interfered with. The power of the Arbitrator is limited and are confined to the terms of reference—from which source his existence is created. The Arbitrator cannot travel beyond this reference. I have to examine if the charges are proved in the duly properly constituted domestic enquiry and nothing beyond this. I have answered issue No. 4 and 5.

14.5 One it is established that the charges are proved, the question arises whether the punishment awarded is justified or not. I find no employee worth the name has a place in any organisation if he is found guilty of gross misbehaviour. No officers can take work from their subordinate if gross misbehaviour is not condoned or no action is taken on this sort of behaviour. As already mentioned in previous paras, there was no provocation to workman who abused in presence of other employees in filthy language the officer-Supervisor-Executive Engineer. The abuses have been spelled out by the witnesses. The affected officer lodged complaint in writing of such insulting behaviour on the part of this workman. This complainant was cross examined by this workman. It cannot be imagined that officer of status of Executive Engineer will even give a false report or complaint which is involving his own insult. I find the dismissal (of workman) by General Manager, W.C. Ltd, Nagpur Area, Nagpur is justified it being fair one. The dismissal order dated 17-5-1990 issued by General Manager, W. C. Ltd., Nagpur Area, Nagpur as referred to in the reference before me, is justified. Once the dismissal is found justified, I answer the reference accordingly. Once I find the dismissal of workman justified, there is no question of grant of any relief on this count.

14.6 It has been pleaded that the award of dismissal is disproportionate and or it is shockingly harsh. The workman harped on provisions of Section 11-A of I.D. Act, 1947 which gives power to Labour Courts, Tribunals and National Tribunals to give relief to the dismissed workmen. The title of the Section 11-A of I.D. Act indicates that Arbitrator is excluded from operation of Section 11-A. This being position, I am not able to act in terms of Section 11-A. My powers are limited to the reference before me. In view of this legal position I am unable to give any relief to the workman concerned.

14.7 I have already answered the reference on affirmative. Hence my award.

14.8 Parties to bear their own cost.

Nagpur,

M. G. WANARE, Arbitrator

Dt. 1-7-1992.

नई दिल्ली, 6 जुलाई, 1992

का. अ. 2063.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सिण्डिकेट बैंक के प्रबन्धतंत्र के संबंध लियोगकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, कौलम के पंचपट को प्रकाशित करता है, जो केन्द्रीय सरकार को 3-7-92 को प्राप्त हुआ था।

[संख्या एल-1211/56/90-आई डार (बी)]

बी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 6th July, 1992

S.O. 2063.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kollam as shown in the Annexure in the industrial dispute between the employers in relation to the Mgt. of Syndicate Bank and their workmen, which was received by the Central Government on the 3-7-92.

[No. L-12011/56/90-IR (B-II)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL, KOLLAM

(Dated, this the 22nd day of June, 1992)

PRESENT :

SRI. C. N. SASIDHARAN
INDUSTRIAL TRIBUNAL

IN

INDUSTRIAL DISPUTE NO. 144/90

BETWEEN

The Chairman and Managing Director, Syndicate Bank,
Head Office Manipal, Pin-576119.

By Sri. S. S. Kallura, Advocate, Trivandrum).

AND

The President, All India Syndicate Bank Employees
Congress T.C. 13/17722, Trivandrum-695 011.

(By Sri. R. Krishnappa Nair, Advocate, Trivandrum).

AWARD

The Government of India as per Order No. L-12011/56/90-IR-B(ii) dated 26-12-1990 have referred this industrial dispute to this Tribunal for adjudicating the following issue :

"Whether the action of the management of Syndicate Bank in not paying closing allowance to Award staff attending to the closing work on par with officers of the Bank is justified ? If not to what relief the said workmen is entitled ?"

2. The case of the workmen involved in this case represented by the president of their union is briefly as under : The management Bank is one of the major Nationalised Banks in India. The nature and quantum of work in the Bank has special significance to the "closing work" that is being undertaken twice in each year. Half yearly and yearly closing of Bank accounts are totally different load of work than the day to day routine normal transaction work. There is abundant additional quantity of work during closing of accounts. In consideration of the extra quantity of additional work the management continues to pay Rs. 150 to officer employees as closing allowance each time. This allowance is being paid to those officers directly engaged in the work relating to the closing of accounts or to those who are required to do extra work arising out of such closing of accounts. The nature of work of officers is less than one per cent of the total workload. This has been accepted as extra work by management which qualified for payment of closing allowance. The officers and the workmen are jointly responsible for the closing work of accounts. But the workers are not being paid closing allowance. Indian Overseas Bank, (for short IOB) another major Nationalised Bank in India accepted the demand of their workmen employees for payment of extra wages for closing work and they are being paid. The attitude of the management to discriminate a section of its employees is negation of justice and injurious to the legitimate interest of workmen employees. The claim of the union is for allowing monetary benefits to the workmen employees for the half yearly and yearly closing work @ Rs. 300 with retrospective effect.

3 The management opposes the claim and the case pleaded by the management is briefly as under : It is not correct to say that closing work is special and not connected with the routine banking work. It is a part and parcel of routine work only which arise out of daily transactions carried out by the Bank. The lumpsum payment of Rs. 150 twice a year to the officers who are working in the branches and directly connected with the closing work is being paid as part of their service conditions not only by this Bank but also by all Nationalised Banks. It is not paid for discharging extra work. The service conditions of Bank employees as enumerated in the Bipartite settlement did not entitle any employee for closing allowance. At the same time service regulations governing the officers in the Bank specifically provided for and entitled an officer for payment of Rs. 150 twice a year. This payment is part and parcel of the service conditions of the officers. The service conditions of officers and workmen employees are different. On half yearly and annual closing dates no public transactions are being carried out which enables employees to attend wholly

to the closing of accounts. The workmen employees cannot demand privileges/benefits enjoyed by the officers cadre of the Bank. There are some allowances paid to workmen but not to officers. When an officer has to put in work beyond the normal office timings he is not compensated with any additional allowance whereas a workman is entitled to receive overtime allowance if he is asked to sit and do work after the normal working hours. According to the management the claim of the union is mischievous and devoid of any merit which is liable to be set aside.

4. The evidence consists of the deposition of one of the workmen employee as WW1 and Exis. W1 to W5 on the side of the union. The management has examined their Assistant Personnel Officer as MW1 and Exis. M1 and M2 have also been marked on the side of the management.

5. The claim of the union is for payment of monetary benefits to the workmen employees for closing work on par with the officers of the Bank. The officers of Bank in branches who are directly engaged in the work relating to closing of accounts or those officers who are required to do extra work arising out of such closing of accounts are being paid lumpsum amount of Rs. 150 for each closing time. Ext. W1 is the circular of the management Bank regarding this payment. The claim of the workmen employees is opposed by the management mainly on the ground that this payment is being effected to officers as per the officers service Regulation 23(7) which entitles an officer for closing allowance where as there is no such condition in the Bipartite settlements and Awards regarding the service conditions of workmen employees. But it is not disputed that the workmen employees are discharging their share of duties for closing work along with the officers of the Bank. The work of closing of accounts half yearly and yearly is completed by the joint working of the officers and workmen employees. So the payment of closing allowance to officers alone is a clear case of discrimination. According to the management the officers have to spend more time in the Bank and they are having more responsibilities and in consideration of that also the closing allowance is being paid to them. But that is not at all stated in the service conditions or in Ext. W1 circular. So the more responsibilities of the officers cannot justify the payment of closing allowance to the officers on that ground. Ext. W1 circular makes it clear that officers who are required to do extra work arising out of closing of accounts are also eligible for closing allowance. That shows that the closing work is extra work and extra payment is being effected to officers for the extra work. It is true that on the dates of half yearly closing and annual closing no public transactions are being carried out and the workmen employees are doing the work relating to the work of closing of accounts only during normal working hours. But that is applicable to officers also. They are also not doing any public transactions on that day. So the claim of the workmen employees cannot be rejected on the ground that no public transactions are being carried out on those days. The management tried to justify the non-payment of closing allowance to the workmen employees on yet another ground that they are being paid overtime wages for doing work beyond the normal working hours which is not being paid to officers. But the present claim is for payment of closing allowance for doing work of closing of half yearly and yearly closing of accounts during normal working hours which is being paid to officers for doing the same work. So this contention is also without force. The claim of the union for closing allowance is thus fully justified.

6. The present claim of the union is supported by Ext. W2 circular issued by IOB. It is noticeable that as per Ext. W2 circular IOB, another Nationalised Bank in India is paying Rs. 145 each to the clerks as overtime wages who are directly involved in the closing work. The contention of management that such payment is illegal is devoid of merit cannot stand because IOB is also controlled by the Reserve Bank of India and there is nothing on record to show that the Reserve Bank has ordered to stop such overtime wages for closing work. Since the same category of employees doing the same nature of work in IOB are paid an additional amount for closing work on par with the

officers, I do not find any justification on the part of the management Bank in denying additional payment to the employees in question for doing work relating to half yearly and annual closing of accounts.

7. The management has a contention that the service conditions of officers and workmen employees are entirely different and the workmen employees are not entitled to claim the benefits on par with the Bank officers. But the fact remains that in another Nationalised Bank the workmen employees are being paid additional amount for doing work relating to closing of accounts on par with the officers. Of course it is not termed as closing allowance but as over-time wages. But the additional payment is made for doing the work relating to closing of accounts half yearly and annually. So this contention of management is also devoid of merit.

8. From the discussions made above it is clear that the management Bank is discriminating the workmen employees in the matter of payment of closing allowance for doing the work relating to closing of accounts. On a consideration of all the aspects stated above I have no hesitation to hold that the action of management in denying the payment of closing allowance to workmen employees is highly discriminatory and negation of natural justice. The workmen employees are therefore entitled to get Rs. 140 each for each closing work on par with the amount paid to same category of employees in IOB as per Ext. W2 circular.

9. In the result, an award is passed holding that the action of the management of Syndicate Bank in not paying closing allowance to Award staff attending to the closing work on par with the officers of the Bank is unjustified and the said workmen are accordingly entitled to get closing allowance @ Rs. 145 per employee for each closing of accounts.

C. N. SASIDHARAN, Industrial Tribunal

APPENDIX

Witness examined on the side of the Workman :

WW1. Sri. Vikraman Nair, J.

Witness examined on the side of the Management :

MW1. Sri. Harsh Mudgal.

Documents marked on the side of the Workmen :

Ext. W1. Photocopy of circular issued by the management Bank dated 1-2-1989.

Ext. W2. Photocopy of circular issued by India Overseas Bank dated 16-12-1988.

Ext. W3. Photocopy of the circular issued by the management Bank dated 15-9-1989.

Ext. W4. Photocopy of the circular issued by the management Bank dated 1-3-1991.

Ext. W-5. Photocopy of the circular issued by the management Bank dated 17-2-1991.

Documents marked on the side of the Management :

Ext. M1. Bipartite settlement dated 18-7-1990.

Ext. M2. Circular issued by the management Bank dated 8-3-1991.

नई दिल्ली, 7 जुलाई, 1992

का.प्र. 2064.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. वी. सी. सी. एल. की सुदामडीह कोल वाशरी के प्रबंधक के संबंध में निम्नलिखित कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. 2 (घनवाद के पंचपट को

प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-91 को प्राप्त हुआ था।

[संख्या एन-20012/218/90-माई.प्रार. (कोल-1)]

वो. क. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 7th July, 1992

S.O. 2064.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No 1), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sudamdih Coal Washery of M/s. B.C.C. Ltd., and their workmen, which was received by the Central Government on 3-7-91.

[No. L-20012(218)/90-IR (Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under sec. 10(1)(d) of the Industrial Disputes Act., 1947.

Reference No. 271 of 1990

PARTIES :

Employers in relation to the management of Sudamdih Coal Washery of M/s. B.C.C. Ltd.,

AND

Their Workmen

PRESENT :

Shri S. K. Mitra,

Presiding Officer.

APPEARANCES :

For the Employers.—Shri R. S. Murthy, Advocate.

For the Workmen.—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 25th June, 1992

AWARD

By Order No. L-20012(218)/90-IR. (Coal-I), dated, the 7th December, 1990, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the Bihar Colliery Kamgar Union (CITU) that 297 workmen listed in Annexure annexed herewith should be departmentalised under the management of Sudamdih Coal Washery of M/s. B.C.C. Ltd., P.O. Sudamdih, Dist. Dhanbad is justified? If so, to what relief are the said workmen entitled?"

Sl No.	Name	Father's/Husband's Name	Village	P O	District
1	2	3	4	5	6
1.	Gobardhan Mahato	Gosto Mahato	Jhinjhi Pahari	Katras	Dhanbad
2.	Surendra Roy	Karmu Roy	Jalika	Jalika	Purulia (W.B.)
3.	Nunibala Tiwari	Anirudh Tiwari	Peikiri	Bhojudih	Dhanbad
4.	Sib Das Chakraborty	Late Khudiram Chakraborty	Sankra	Sankra	Purulia (W.B.)
5.	Kishore Prasad Pandey	Birinchilal Pandey	Bogula	Galgaltand	Dhanbad
6.	Sambhu Nath Mahatha	Devilal Mahatha	Simulia	Rangamati	Dhanbad
7.	Ramlal Mahato	Gobinda Mahato	Bogula	Galgaltand	-do-
8.	Haralal Mahato	Arjun Mahato	-do-	-do-	-do-
9.	Gadai Mahato	Late Ratan Mahato	-do-	-do-	-do-
10.	Chakradhar Mahato	Bhim Mahato	-do-	-do-	-do-
11.	Doman Mahato	Nakul Mahato	-do-	-do-	-do-
12.	Paresh Mahato	Late Magaram Mahato	-do-	-do-	-do-
13.	Mathur Mahato	Late Soraban Mahato	Sharajuri	Chandankiyari	-do-
14.	Badri Singh	Late Aghnu Singh	Chhatatand	Bhojudih	-do-
15.	Darsan Murmu	Sonalal Murmu	Chokmonpur	Jhinaki (Tundi)	-do-
16.	Jagdish Mahato	Kalicharan Mahato	Bogula	Galgaltand	-do-
17.	Birinchilal Mahato	Sipati Mahato	-do-	-do-	-do-
18.	Jamuna Paramanik	Pratulla Paramanik	-do-	-do-	-do-
19.	Karmu Roy	Chaitu Roy	Jalika	Jalika	Purulia
20.	Manta Mahato	Hari Mahato	Bogula	Galgaltand	Dhanbad
21.	Jhabu Rawani	Dukhan Rawani	Parashania	Khes Jenagara	-do-
22.	Subhas Ch. Yadav	Shyam Kishore Yadav	Datapur	Datapur	Munger
23.	Parikhit Mahato	Rajani Mahato	Galgaltand	Galgaltand	Dhanbad
24.	Kalipada Mahato	Mrityunjoy Mahato	Bogula	-do-	-do-
25.	Jhandu Lal Mahato	Khudiram Mahato	-do-	-do-	-do-
26.	Lakhiram Mahato	Ashari Mahato	Bogula	Galgaltand	-do-
27.	Tarapada Bouri	Late Banku Bouri	Taldi	Pukni	Purulia (W.P.)
28.	Podu Mahato	Prahlad Mahato	Simulia	Rangamati	Dhanbad
29.	Nishu Mahato	Chandra Kanta Mahato	Galgaltand	Galgaltand	-do-
30.	Jogen Soran	Keru Soran	Biridih	Biridih	Giridih
31.	Chatur Bowni	Balkuntha Bowni	Arvita	Jeenagara	Dhanbad
32.	Rasiklal Tudu	Soban Tudu	Mochiara	Maiyadiah	-do-
33.	Ashok Bouri	Haripada Bouri	Amchatar	Bahara	Purulia
34.	Suren Roy	Late Mangal Roy	Simulia	Rangamati	Dhanbad
35.	Sadhan Roy	Karali Pada Roy	Saralia	Kaluhar	Purulia
36.	Ashis Chakraborty	Ranpada Chakraborty	Gobromda	Manduka	-do-
37.	Chutan Rajak	Raghnath Rajak	Mohal	Mohal	Dhanbad
38.	Ruplal Tudu	Nageshwar Tudu	Kanadiah	Moniadiah	-do-
39.	Nirmal Mahato	Kisto Mahato	Gorigram	Bhojudih	-do-
40.	Lalu Mahato	Nakari Mahato	-do-	-do-	-do-
41.	Shibu Roy	Late Hari Roy	Bogula	Galgaltand	-do-
42.	Manpuran Mahato	Madan Mahato	-do-	-do-	-do-
43.	Sankar Pathak	Late Mrityunjoy Pathak	Mangalda	Mangalda	Purulia
44.	Gurupada Mahato	Canak Mahato	Silforbarka	Bat Binor	Dhanbad
45.	Magaram Mitra	Late Bhuta Nath Mitra	Amchatar	Bahara	Purulia
46.	Bharat Mahato	Guhiram Mahato	Akondagora	Chandra	Dhanbad
47.	Yudhistir	Late Beni Mahato	-do-	-do-	-do-
48.	Satrugnan Mahato (II)	Monsaram Mahato	Rigudi	Bhouridi	Purulia
49.	Haru Modi	Paddalochan Modi	Akondagora	Chandra	Dhanbad
50.	Narayan Mahato	Madan Mahato	Chamrabad	-do-	-do-
51.	Joylal Bouri	Nakul Bouri	Vaski	Rangamati	-do-
52.	Rameshwar Marandi	Chandlal Marandi	Dhanagpur	Kalhora	-do-
53.	Ludhuram Mahato	Arun Mahato	Galgaltand	Galgaltand	-do-
54.	Sahadev Mahato	Gobind Mahato	Beldih	-do-	-do-
55.	Ghaltu Mahato	Pratap Mahato	-do-	-do-	-do-
56.	Panhaman Mahato.	Bijoy Mahato	-do-	Galgaltand	Dhanbad
57.	Bahujan Murmu	Late Budhu Murmu	Baranagpur	Moniadiah	-do-
58.	Nimai Bouri	Chakradhar Bouri	Amchatar	Bahara	Purulia
59.	Jov Nath Mahato	Late Gour Mahato	Parasiri	-do-	-do-
60.	Ghanshyam Mahato	Kali Pada Mahato	-do-	-do-	-do-
61.	Motilal Kisku	Jitan Kisku	Bhojudih (Domkocha)	Purnadiah	Dhanbad
62.	Muse Tudu	Late/Babulal Tuda	Mochhara	Monyadiah	-do-

1	2	3	4	5	6
63. Sukla Tudu	Rameshwar Tudu	Tolapitnatand	Jhiraki	Dhanbad	
64. Karun Mukherjee	Kalachand Mukherjee	Lachhanpur	Rangamati	do-	
65. Thandi Mahatain.	W/o Ghatu Mahato	Gorigram	Bhojudih	do-	
66. Niranjana Rowani	Madan Rawani	Nayabon	Pabratan	do-	
67. Amar Mahatha	Gourilal Mahatho	Vaski	Bhojudih	do-	
68. Simati Majhain	Adinath Tudu	Khurban	Badra	Purulia	
69. Bharat Gope	Labhu Gope	Vaski	Rungamati	Dhanbad	
70. Ramdas Soron	Chunku Soron	Pundatand	Moniadih	do-	
71. Mansu Tudu	Rupan Tudu	Bandih	Moniadih	Dhanbad	
72. Fulchand Soron	Chunka Soron	Bandatand	Munyadih	do-	
73. Sagar Marandi	Samal Marandi	Goidha	do-	do-	
74. Rameshwar Rambram	Barka Hembram	Bariapur	Moniadih	do-	
75. Saroj Kumar Mishra	Chhotalal Mishra	Bardiha	Natungram	Purulia	
76. Ratan Ch. Rajak	Mohan Ch. Rajak	Narkora	Rangamatia	Dhanbad	
77. Adinath Tudu	Nandalal Tudu	Kharbon	Bandra	Purulia	
78. Durga Devi	Sonaram Mahato	Gorigram	Bhojudiy	Dhanbad	
79. Suklal Murmu	Durga Murmu	Pukhria	Jhinaki	do-	
80. Niranjana Mahato	Gunju Mahato	Bogula	Galgaltand	do-	
81. Jagdish Mahato	Badan Mahato	Parasiri	Bahara	Purulia	
82. Sudhir Gorai	Ratan Gorai	Baradaha	Baliapur	Dhanbad	
83. Balaram Mahato	—	—	—	—	
84. Arjun Gorai	Ratan Gorai	Parashanla	Khasgeenagora	Dhanbad	
85. Haru Badyakar	Balai Badyakar	Bera	Godhera	Purulia	
86. Adhir Roy	Rasu Roy	Galgaltand	Galgaltand	Dhanbad	
87. Krishna Tadu	Mangal Tudu	Machhara	Monyadih	Dhanbad	
88. Sunil Km. Mukherjee	Gotikisto Mukherjee	Lachhanpur	Rangamati	do-	
89. Santosh Mahto	Balai Mahato	Bogula	Galgaltand	do-	
90. Kumar Morandi	Gopin Marandi	Kolahare	Baranagpur	do-	
91. Ghatlu Mahato	Rameshwar Mahato	Gorigram	Bhojudih	do-	
92. Badri Haxam	Gondhari Hazam	Kariatpur	Barasout	H. Bagh (Hazari Bagh)	
93. Ramdara Vishwakarma	Ghamu Vishwakarma	Ajomgor	Ajomgor	Khajipur	
94. Kisto Murmu	Babulal Murmu	Chakranpur	Purnadih	Dhanbad	
95. F. ni Bhushan Mahato	Ayodi Mahato	Akondagora	Chandra	do-	
96. Anil Mudi	Paddalochan Mudi	do-	do-	do-	
97. Bhabu Bourin	Sudhir Bouri	Bahara	Bahara	Bhurulia	
98. Md. Aiyub	Islam Mistri	Nimarang	Jamui	Munger	
99. Md. Taiyub	do-	do-	do-	do-	
100. Krishna Bhuiya	Bitur Bhuiya	Rajpur	Kanhachati	H. Bagh.	
101. Jagdish Bhuiya	Nandu Bhuiya	Sidhu	Tatra	do-	
102. Basni Roy.	Arun Roy	Simulia	Rangamati	Dhanbad	
103. Suklal Murmu (II)	Lakhiram Murmu	Yaluai	Muniadih	Dhanbad	
104. Dumda Manjhi	Sonaram Manjhi	Kalabobal	Kulabahal	Purulia	
105. Rabi Gorai	Shambhu Gorai	Lakhipur	Amdiha	Dhanbad	
106. Biren Mahato	—	—	—	—	
107. Adhir Ch. Rajak	Sipati Rajak	Tetulhiti	Tetulhiti	Purulia	
108. Bhabataram Mitra	Gourhari Mitra	Amchatar	Bahara	do-	
109. Nakul Mahato	Bharat Mahato	Galgaltand	Galgaltand	Dhanbad	
110. Sunil Ku. Roy.	Ashari Roy	Kusumdaha	Salukchapra	do-	
111. Gour Das	Baldev Dass	Basgari	Galgaltand	do-	
112. Fulchand Mahato	Falari Mahato	Tulsi Bari	Challama	Purulia	
113. Nitai Mahato	Kali Mahato	Sudamdi Basti	Sudamdih	Dhanbad	
114. Shambhunath Mahato	Sridhar Mahato	Alokdiha	Rangamati	do-	
115. Bhukhal Mahato	Bhim Mahato	Bogula	Galgaltand	do-	
116. Bipin Roy	Monbodh Roy	Vill & P.O.	Kanakchash	do-	
117. Yudhistir Bouri	Balai Bouri	Amchatar	Bahara	Purulia	
118. Pulmani Majhain.	—	—	—	—	
119. Benilal Murmu.	—	—	—	—	
120. Rasiklal Murmu	Chanda Murmu	Hirparanganth	Kalabangl.	Purulia	
121. Nanhu Das.	Jamuna Das.	Karmasi	Hasanpur	Siwan	
122. Akhoy Mukherjee.	Sobhak Mukherjee	Tulsibari.	Chamlama	Purulia	
123. Satya Nayan Mahathu.	Parmashwer Mahatha	Ghangragora.	Bastora	Dhanbad	
124. Sridhar Mahato (II)	Dibakar Mahato	Parasiri	Bahara.	Purulia	
125. Parmeshwar Hem'am	Masu Hembram	Veski	Charak	Dhanbad	

1	2	3	4	5	6
125. M. Chhajwari Mahato	Surendra Mahato	Guoga	Coalbera	Purul	
127. Fulchand Hembram					
128. Chhutulal Hembram	Thakur Hembram	Baranagpur	Kolhore.	Dhanbad	
129. Jonu Murmu	Sonaram Murmu	Fatchpur	Maniadih	—dc—	
130. Shamlu Mahato	Jahur Mahato	Simulia	Rangamati	—dc—	
131. Kalabali Bourin	Sabilas Bouri	—do—	—dc—	—dc—	
132. Lalit Kumar Gope	Arjun Gope	Curilrita	Bhojucih.	—dc—	
133. Nageshwar Nath Mahato	—	—	—	—	
134. Gopal Ch. Mahato	Joy Mahato	Beldih.	Chandankiyari	Dhanbad	
135. Bijoy Rajwar		—do—	—do—	—dc—	
135. Subhas Dey	Sankarlal Dey	Palaskola	Adra.	Purulia	
137. Bhutan Mahato	Milan Mahato	Alokdiha	Rangamati	Dhanbad	
138. Kala Chand Mahato				Dhanbad	
139. Udaylal Nathi Mahato	Bijoy Mahato	Baldih	Chandankiyari	Dhanbad	
141. Tapan Chatterjee	Shanti Pada Chatterjee	Murrah	Rangamati	—dc—	
141. Nibaran Mahato	Late Bushan Mahato	Beldih	Chandankiyari	—dc—	
142. Nageshwar Roy	Khedan Roy	Basgari	—do—	—dc—	
143. Tarani Mahato	Ashutosh Mahato	Tokora	Rangamati	—dc—	
144. Gour Ch. Rajak	Late Raghu Rajak	Tetulia	Mohal	—dc—	
145. Ran Prasad Mahatha					
146. Shakti Puja Mahatha					
147. Nagen Rajak	Panchanan Rajak	Madhupur	Tetuldog	Purulia	
148. Ramjan Ansari	Pirmahamud Ansari	Kataruni	Adra.	—dc—	
149. Ganesh Mahato	Nathuram Mahato	Simulia	Rangamati	Dhanbad	
150. Chandan Rajak	Dhanu Rajak	Teguldog	Teguldog	Purulia	
151. Bahadu Rajak	Bharat Rajak	Mohal	Mohal	—do—	
152. Jhabu Mahato	Bhola Mahato	Chamurabad	Chandro	Dhanbad	
153. Subal Kalindi	Hari Kalindi	Marrah	Rangamati	—dc—	
154. Ratan Bouri	Bostom Bouri	Bhara	Phara	—do—	
155. Kirtibas Mahato	Rajini Mahato	Galgaltand	Galgaltand	Dhanbad	
156. Anar Mahato	Bhusan Mahato	Simulia.	Rangamati	—do—	
157. Swapan Das	Harendra Das	Udaipur	Udaipur	Purulia	
158. Kalpani Roy	Bipin Roy	Kanakohash	Kanakohash	Dhanbad	
159. Rami Mahatain	Beni Mahato	Gorigram	Bh judih	—do—	
160. Srilal Hinda	Late Purnan Hansda	Bhalus	Mandar	Giridih	
161. Chhutku Kisku	Bijay Kisku	Fatchpur	Moniadih	Dhanbad	
162. Ismail Ansari	Babujin Ansari	Akondagora	Chandra	—dc—	
163. Cavafra Kaut Mahato	Ananta Mahato	Dhanara	Moutore	Purulia	
164. Jagdish Singh	Sakhilal Singh	Gorigram	Bh judih	Dhanbad	
165. Subas Kusbaha	Ramdas Kusbaha	Gowalapara	—do—	—do—	
166. Basudeo Gorain	Sambhu Gorai	Lakhipur	Am diha	—do—	
167. Bijoy Roy	Mahabir Roy	Amchatar	Dahara.	Purulia	
168. Rabilal Soren	Ruplal Soren	Bandatand	Mamadih	Dhanbad	
169. Birbal Bouri	Jagat Bouri	Markera	Rangamati	—dc—	
170. Dasrath Mahato	Suku Mahato	Sibbabudih	Mohal	—dc—	
171. Sunil Mahato	Jitu Mahato	Parua	Chandankiyari	—dc—	
172. Subal Rajwar	Girish Rajwar	Parasiri	Bahara	Purulia	
173. Uttam Banerjee	Santosh Chandra Banerjee	Dhanara	Moutore	—dc—	
174. Dasrath Baski	Bagal Baski	Pindra	Kalabani	—dc—	
175. Abani Mahato	Sashi Mahato	Dhanara	Moutore	—do—	
176. Belaram Mahato	Bhusan Mahato	Chitra	Chitra	Purulia	
177. Tarapada Mahato	Late Jhuklal Mahato	—do—	—do—	—dc—	
178. Poltu Mahato	Nandlal Mahato	Kherabera	Baromasia	Dhanbad	
179. Yashistil Mahato	Jhuklal Mahato	Chitra	Chitra	Purulia	
180. Mariram Mahato	Bhusan Mahato	—do—	—do—	—dc—	
181. Binod Gope	Sudhir Gope	Natundih	Natundih	Dhanbad	
182. Mihir Modak	Mohital Modak	Chitrapur	Para	Purulia	
183. Balu Rajak	Kula Rajak	Parbahal	Baromasia	Dhanbad	
184. Monilal Bouri	Banku Bouri	Raghnathpur	Raghnathpur	Purulia	
185. Doyanand Mahato	Paddalochan Mahato	Chitra	Chitra	Purulia	
186. Suresh Mahato	Bijoy Mahato	Baldih	Galgaltand	Dhanbad	
187. Parikshit Rajak	Rabi Rajak	Chitra	Chitra	Purulia	
188. Tapas Chatterjee	Magaram Chatterjee	Natundih	Basora	Dhanbad	
189. Jhirku Mahato	Babu Mahato	Gorigram	Bh judih	—do—	
190. Bharat Mahato	Maheshwar Mahato	Simulgora	Anara.	Purulia	
191. Sadan Singh	Dilati Singh	Baraiha	Baraiha	Munger	
192. Adhir Paramanik					

1	2	3	4	5	6
193. Gunnkar Mukherjee	Nitai Mukherjee	Lachanpur	Rangamatia	Dhanbad	
194. Nimai Singh					
195. Satyaban Rajwar.					
196. Lalu Mahato	Rankim Mahato	Siyarjuri	Bat Binor	Dhanbad	
197. Rajen Mahato	Abhiram Mahato	Babudih	Silfore.	Dhanbad	
198. Birnarayan Mistri	Late Ramlal Mistri	Pakrahat	Korma	Aurangabad	
199. Paddalochan Mahato	Bhoju Mohato	Dabarbahal	Dudhiyazar	Dhanbad	
200. Datal Mahato	Soraban Mahato	Gobera	Golbera	Purulia	
201. Dhirendra Nath Mahato	Gaju Mahato	Dabarbohal	Budhigazor	Dhanbad	
202. Jitu Mhato					
203. Bani Mahato	Bihari Mahato	Kherahera	Baramasia	Dhanbad	
204. Chutari Mahto	Jhangu Mahato	Siyajuri	Bat Binor	do	
205. Jagdish Mahato	Nakul Mahato	Corigram	Bhojudih	do	
206. Paran Mahato	Pulchand Mahato	do	do	do	
207. Din s Rawani	Mansu Rawani	Bansgari	Gulgaltand	do	
208. Niranjan Mahato	Motilal Mahato	Siyajuri	Batbinor	do	
209. Nil Kamal Mahato	Biju Mahato	Kusamkiyari	Dummu	Purulia	
210. Lambu Mahato					
211. Kanilal Mahato					
212. Sarju Mahato	Baidyanath Mahato	Darbalbahal	Dad Igazar	Dhanbad	
213. Haripada Gorai	Gokul Gorai	Gharbar	Baliapur	Dhanbad	
214. Dhaneshwa Mahato					
215. Omprakash Roy	Late Timal Roy	Baniasole	Adra.	Purulia	
216. Dhananjay Das	Sahadar Das	do	do	do	
217. Nirmal Malakar	Indrasan Malakar	Totulia	Jugidhi	Dhanbad	
218. Kartik Mukherjee	Pani Mukherjee	Lechhanpur	Ranganatia	do	
219. Patit Pawan Mahato	Umesh Mahato	Simulia	do	do	
220. Ashok Chatterjee	Guhiram Chatterjee	Marjan	Rangamati	do	
221. Suresh Kumar	Khemlal Mahato	Panga	Bariath	H. Bagh	
222. Sonlal Hembram	Shyamlal Hembram	Palkiya	Taratand	Giridih	
223. Kamal Kesra	Lalu Pesra	Chhatapathar	Bishunpur	Giridih	
224. Mital Karmakar	Rajkishore Karmakar	Bumurkola	Mangalda	Purulia	
225. Gandhar Mahato	Hari Mahato	Tulsibari	Chhama	Purulia	
226. Mantu Bouri-(II)	Sipati Bouri	Bukudih	Pangamatia	Dhanbad	
227. Satya Mahato	Gautari Mahatha	Dhaski	do	do	
228. Monalal Murmu					
229. Kandan Murmu	Magla Murmu	Palkiya	Taratand	Giridih	
230. Girish Hembram	Chandan Hembram	Jata Kajhi	Charak	Dhanbad	
231. Durga Pansda	Rachowa Hansda	Balakdih	Budhir	Giridih	
232. Motilal Soren	Mudhu Soren	Tarajuri	Baracharpa	Deoghar	
233. Barja Marudhi	Somra Marandi	Chhata Pather.	Bishunpur	Giridih	
234. Dramatha Bouri	Gurupada Bouri	Amchatar	Bahara	Purulia	
235. Basri Roy					
236. Sagar Kisku	Hasia Kisku	Fatepur	Maniyadih	Dhanbad	
237. Maheza Hazam					
238. Paradhan Mahato	Jaichand Mahato	Siyajuri	Batbinor	Dhanbad	
239. Mihir Mahatha	Bistu Charan Mahatha	Simulia	Rangamatia	Dhanbad	
240. Paras Roy	Bharat Roy	Muridih	Sirdih	Purulia (W.B.)	
241. Gobind Mahato	Late Nilkantha Mahato	Shidharpur	Kanka	Dhanbad	
242. Anand Ghosh	Late Paritosh Ghosh	Marwah	Rangamatia	do	
243. Sabyas Paramanik	Late Ananta Paramanik	Marrah	Rangamatia	Dhanbad	
244. Motilal Manjhi	Arjun Manjhi	Bansgari	Gulgaltand	do	
245. Bhagwat Gope	Mahabir Gope	Goalpara	Bhojudih	do	
246. Uken Ch. Banerjee	Pararakar Banerjee	Chhipabad	do	do	
247. Tarapada Bouri-(II)	Joti Bouri	Marrah	Rangamatia	do	
248. Rajendra Gupta	Chameri Show Gupta	Chak Bazar	Chakbazar	Palamou	
249. Candhu Rajak	Jogu Rajak	Kherahera	Baramasia	Dhanbad	
250. Sahadao Gope	Mahabir Gope	Bhojudih	Bhojudih	do	
251. Jadu Rajwar	Sipati Rajwar	do	do	do	
252. Ashuri Mahato	Lambu Mahato	Corigram	do	do	
253. Dhrupad Rawani	Haripada Rawani	Bansgari	Gulgaltand	do	
254. Bharat Bouri	Late Patal Bouri	Goalpara	Bhojudih	do	
255. Premchand Bouri	Biru Bouri	Baisyakulhi	Pakra	Purulia	
256. Mithu Manjhi	Rohini Majhi	Nagar Manjhidih	Bhojudih	Dhanbad	
257. Sarju Manjhi	Joshen Manjhi	Julhona	Chura	Purulia	
258. Iochhu Mahato	Haru Mahato	Parasiri	Bahara	do	
259. Radhu Mahato	Bhusan Mahato	Monidih	Bansfora	Dhanbad	

260 Ramu Gope	Late Rathu Gope	Ajmer	Sudamdih	Dhanbad
261 Jagdish Gope	Sahadiv Gope	Natundih	Natundih	-do-
262 Kalipada Mahato	Prabali Mahato	Gorigram	Bhojuchih	-do-
263 Bijoy Mahato	Saharai Mahato	-do-	-do-	-do-
264 Jailal Manjhi	Somra Manjhi	Pansgari	Galgaltand	-do-
265 Dablu Mukherjee	Late Gagadhar Mukherjee	Lachhanpur	Rangamatia	-do-
266 Goutam Paul	Sarat Paul	Chandankiyari	Chandankiyari	-do-
267 Bhagwat Roy	Devi Roy	Simulia	Rangamatia	-do-
268 Pradip Ku. Das	Devendra Nath Das	Basgari	Galgaltand	-do-
269 Masudhan Ghatak	Late Amuly Ratan Ghatak	Santhal aghla	-do-	-do-
270 Subhash Roy	Jagat Roy	Amtal	Jharia	-do-
271 Madan Mahato	Devari Mahato	Rajpur	Kolhaiya	H. Bagh
272 Surubali Majhain	D/o Late Lambu Majhain	Basria	Basria	Purulia
273 Sajani Majhain	Late Soraj	Pindra	Kolabani	Purulia
274 Ranglal Mahato	Late Badi Mahato	Bogula	Galgaltand	Dhanbad
275 Pramoj Ku. Sinha	Suresh Narayan Lal	Dehri-on-son	Dalmiya Nagar	Rchursh
276 Chittaranjan Mahato	Kebal Mahato	Baiskulhi	Para	Purulia
277 Jagannath Mahato	Raghunath Mahato	Ghutlia	Chuna	Purulia
278 Prahalad Chand Sarkal	Sarat Sarkal	Narira	Natundih	-do-
279 Ajay Bouri	Late Boma pada Bouri	Raghunathpur	Raghunathpur	-do-
280 Tapan Banerjee	Ranglal Banerjee	Jojudih	Arjunjora	-do-
281 Gopal Rajak	Gonu Rajak	Kashitand (Rampur)	Maharajanj	Dhanbad
282 Barka Soren	Manik Soren	Tarajori	Baracharpa	Deoghar
283 Laxman Pansada	Sanu Hansda	Kanhaidih	Manosoo	Garidih
284 Minilal Gupta	Glanari sow Halwai	Chack	Paltonganj	Palamu
285 Chaltu Roy	Ram prasad Roy	Boutora	Para	Purulia
286 Balicharan Gope	Chandra Gope	Gopalpara	Bhojudih	-do-
287 Gopal Tiwari	Dayanand Tiwari	Bhojudih	-do-	-do-
288 Pumar Mahato	Gour Mahato	Hosakandra	Rorhaband	-do-
289 Arjan Pouri	Gosto Bouri	Pahara	Patohpur	Purulia
290 Bijoy Ku. Govaati	Gourhari Devnath	Bigwadhi Shatoyar Basti	Gealgora	Dhanbad
291 Ramchandra Bid	Haripada Bid	Latherdih Mattalla	Sudamdih	Dhanbad
292 Simati Majhain	Bhuchu Manjhi	Mirkalabani	Kalabani	Purulia
293 Mahes Kumar	Late Gagadhar Kumar	Rokiyara	Paragram	-do-
294 Silmp Murru	Tusha Mur mu	Saja	Saja	-do-
295 Anil Das	Mahabir Das	Ushihar	Joradih	-do-
296 Buchan Bagti	Gopal Dagti	Raiskulhi	Para	-do-
297 Chaltu Modak	Mohanlal Modak	Patherdih-Hattalla	Patherdih	Dhanbad

2. The case of the sponsoring union, Bihar Colliery Kamgar Union, as disclosed in the written statement submitted on behalf of the concerned workmen, details apart, is as follows :

Gobardhan Mahato and 296 other concerned workmen whose names and address have been disclosed in the annexure to the schedule of reference, have been working as slurry removal workmen continuously in Sudamdih Coal Washery since long with unblemished record of service. They have been working in permanent and prohibited category of job of removal of slurry in Sudamdih Coal Washery continuously and in the process have put in attendance for 240 days in each calendar year. They have been working on the job of removal of slurry within the precinct and premises of the washery under the supervision and control of the management, and all implements for execution of the job are being supplied by the management. Although they are working under the management, they are being paid much less wages than prescribed in N.C.W. As and that too through alleged intermediaries. The alleged intermediaries have neither any power to engage any workman nor remove any workman from service nor have they any power to supervise and control over the job of the concerned workmen. The alleged intermediaries have also no power to prescribe the requisite work load for the concerned workmen. As a matter of fact the requisite work load of the concerned workmen have been prescribed and settled by the management. Slurry is nothing but fine particles of good quality of washed coal

which flows out of the washery and settles down in the ponds/tanks excavated by the management. Hon'ble Supreme Court has held that slurry is nothing but coal. The concerned workmen are working in the ponds tanks with the implements supplied by the management. In the course of performance of their duties they are excavating fine particles of washed coal and stacking the same near the ponds tanks. The fine particles of coal so excavated by them are being loaded on to the trucks by the management's pay leader through management's permanent workmen. Slurry so loaded in the trucks are despatched to different buyers of good quality of washed coal. Though the job of removal of slurry is a permanent nature of job even the management has been paying them less wages than prescribed in N.C.W.A. in order to victimise them and deprive them of their legitimate claim. As per Central Wage Board Recommendations and National Coal Wage Agreements the Stackers, for doing the job of stacking only get Group-III wages. The slurry cleaning workmen of Giddi Washery are getting Group-III wages for performing the same nature of job. Despite this fact, the management has been depriving the poor workmen of their legitimate wages and claim of attendant benefits as available as per Central Wage Board Recommendations and National Coal Wage Agreements. As per settled law, the management is legally bound to departmentalise them and to pay them Group-III wages with retrospective effect with all arrears of wages. The concerned workmen and their union represented for their department-

alisation and payment of wages as per N.C.W. As before the management several times but the anti-labour management did not pay any heed to their representations. Seeing no other alternative the union raised an industrial dispute before the Asstt. Labour Commissioner (Central), Dhanbad, which ended in failure due to adamant attitude of the management. The appropriate Government, Ministry of Labour, has been pleased to refer the dispute for adjudication before this Tribunal. The demand of the union for departmentalisation of 297 workmen as per annexure to the schedule of the reference is legal and justified. The action of the management in not departmentalising the concerned workmen and not paying them Group-III wages as per N.C.W. As is illegal, arbitrary and against the principles of natural justice. Under the facts and circumstances, the union has prayed that an award be passed directing the management to departmentalise the concerned workmen under the management of Sudamdih Coal Washery of M/s. B.C.C. Ltd. and pay them Group-III wages with retrospective effect with all arrears of wages and consequential benefits.

3. The case of the management of Sudamdih Coal Washery of M/s. B.C.C. Ltd., P.O. Sudamdih, Distt. Dhanbad, as disclosed in the written statement-cum-rejoinder, benefit of details, is as follows :

The present reference is bad in law and not maintainable, as there exists a relationship of employer and employee between the management and the persons referred to in the reference.

The present reference is also in violation of the provisions of the Contract Labour (Regulation and Abolition) Act and based on misrepresentations on facts. The substantive case of the management is that Sudamdih Coal Washery is one of the Coal Washeries of M/s. B.C.C. Ltd. which is a Government Company within the meaning of Sec. 617 of the Company's Act and it is wholly financed by the Central Government. The Coal Washery in question like all other Coal Washeries have been constructed for the beneficiation of coal (improving the quality of coal by removing ash, moisture etc.) and to make it suitable for use in the steel plants for steel melting. The process of washing/beneficiation of coal in washeries is such that some fine particles of coal flow out along with the special liquid solution used for the purpose of washing coal. This is called slurry which is collected in the ponds situated outside the washery premises and the water which is a constituent of slurry is removed and the fine particles of coal are salvaged and stacked. When these fine particles of coal flowing out of the washery with slurry assume below a given size/quality the slurry is called tailings or rejects. Since fine particles of coal and their quality above specified size represent washed coal which can be used in steel plants, the management of washeries makes constant efforts/endeavour by installation of necessary equipment and modernising the equipment and taking various other methods having a bearing on the ref. of coal and quality as a part of slurry and to eliminate the levant technology to reduce flowing out of such fine particles as far as possible. When the ash content and other impurities in the composition of slurry exceed a specified norm, the slurry assumes the form of tailings/rejects and it is no longer necessary to collect it. Sudamdih Coal Washery was constructed in 1980 through a contractor on a turn-key contract basis. At the time of construction of the Washery some workers were employed by the contractor. When the construction of the washery was completed, there was no longer any work for the contractor or his men. At that time, Shri A. K. Roy was the M.P. of Dhanbad having been elected in 1979 General Elections, he was also the President of the sponsoring union, Bihar Colliery Kamgar Union and he is still the President. He launched an agitation with demonstrations etc. before the Dy. Commissioner, Dhanbad, demanding provision of means of livelihood of the ex-workers of the contractor of Sudamdih Washery Project, on the ground that they were local Adivasis. The workers were retrenched by the Contractor who were engaged in the job of construction and fabrication of the Washery Project. The then Dy. Commissioner, Dhanbad intervened in the matter and at his instance and on the demand of Shri A. K. Roy, the management of M/s. B.C.C. Ltd. agreed to provide the job of slurry cleaning/removal work at Sudamdih Washery to some of the ex-workers of the ex-contractor subject to workers forming

a Co-operative Society. The formation of Labour Co-operative was also commended by the National Commission of Labour appointed by the Central Government in 1969. In pursuance of the said arrangement the ex-workers of ex-contractors formed a Co-operative Society styled Kamgar Shramik Sahyog Samity which was duly registered under Bihar Co-operative Societies Act, 1935. The Society obtained a licence under the Contract Labour (Regulation and Abolition) Act, 1970 and a regular contract agreement had been executed between the management of M/s. B.C.C. Ltd. and the Co-operative Society concerned and it was extended/renewed from time to time till now. When the B.C.K.U. raised the purported dispute before the Asstt. Labour Commissioner, Dhanbad in connection with another identical matter in September, 1986, the union stated that the persons concerned were the workers of Co-operative Society and that the advisory Board set up under Section 10 of the Contract Labour (Regulation and Abolition) Act had not recommended that the contract system in the job of slurry cleaning/removal should be prohibited. The dispute raised by B.C.K.U. relates to the abolition of the contract system in slurry removing work in Sudamdih Washery and departmentalisation of the work and absorption of the workers of the Co-operative Society which has been performing the work/executing the contract. It is well settled that the demand for abolition of the contract system in any particular job or establishment cannot constitute the subject matter of an industrial dispute and thus such claims have to be dealt with under Section 10 of the Contract Labour (Regulation and Abolition) Act as per the decisions of Hon'ble Supreme Court and other High Courts. The very same union earlier raised an industrial dispute regarding the very same matter in which it claimed that Anil Kumar Bid and 252 others engaged in excavation, stacking and leading of slurry in Sudamdih Coal Washery should be regularised in the employment of the management. That issue formed part in Reference No. 62 of 1989 which was tried and disposed of by this Tribunal. In connection with the aforesaid matter covered by Reference No. 62 of 1989 it so happened that the union claimed employment only for 118 workers, namely, Anil Kumar Bid and 117 others as referred to in Annexure 'A' of the written statement of the union in that case. In that very case, the union admitted that Haradhan Mahato and 14 others had already been provided employment by the management and gave up their case. The union had also given up the case in respect of 140 workers covered by the said reference. The Tribunal, in Reference No. 62 of 1989, directed regularisation of Anil Kumar Bid and 116 others except Satrugan Mondal. It so happened that as an after thought and with ulterior motive, the Kamgar Shramik Sahyog Samiti has inflated the number of workers purported to be working in slurry removal work although there is absolutely no justification for such huge number of workmen. They never worked at the time of construction of washery. The management had carried out Industrial Engineering Studies and had come to the conclusion that according to the technology and equipment then existing, there would be no requirement for more than 200 workers. A specific reference to this state of affairs and the contentions of the management was made in Reference No. 62 of 1989. The contention of the management was that Kamgar Shramik Sahyog Samiti in the mean-time had inflated the number of workers purported to be working in slurry removal work although there is absolutely no justification for such a huge number of workers. The management carried out industrial engineering studies and came to the conclusion that the present quantum of slurry removal work does not require even 200 workers. Apart from 253 persons covered by Reference No. 62 of 1989 the sponsoring union raised another dispute before the A.L.C. (C), Dhanbad, by letter dated 14-8-89 demanding that the management should regularise 298 persons on the ground that they are working in the same slurry removal work. Anyway, the very fact that the sponsoring union has now come out with another list of persons and no explanation is forthcoming as to how it has come out now with a second list would in itself demonstrate that the Co-operative Samiti and the union have resorted to a deliberate MODUS OPERANDI of inducting additional persons with a view to ultimately passing on the burden to the public sector management. Industrial Engineering Study was made in July, 1988. The work load fixed for slurry removal and all connected operations is 3.33 cubic metre per head per day. The quantum

of slurry handled at Sudamdih Coal Washery does not require so many workers. The raw coal fed into the washery is 4,000 tonnes per day while the out-put of clean coal is 2,000 tonnes per day. The middlings coming out of the washery are in the region of 1,700 tonnes per day. The remaining quantity representing slurry is about 300 tonnes per day. The slurry removed from the slurry ponds is loaded into trucks by Pay Loaders and transported to the sites fixed by the management. The slurry removal work is not at all connected with these operations. The management has been constantly making efforts to reduce the quantity of slurry going out of the washery. The modifications carried out included the installation of drum filters, disc filters, roto pumps and other equipments. All these machines are intended for reducing flow of slurry. The management is still making efforts to carry out modifications in the plant and machinery of the washery in order to reduce quantity of slurry flowing into the slurry ponds. The management has claimed that the following persons referred to in the present reference are already covered in Reference No. 62 of 1989.

No.	Name	S. No. in present case.	Sl. No. in Ref. 62/89
1.	Shambhu Nath Mahto	6	54
2.	Lakhi Ram Mahto	26	242
3.	Sambhu Nath Mahto-II	114	149
4.	Yu lhi htir Mahto	179	213
5.	Fanilal Mahto	211	34
6.	Santo h Mahto	89	73
7.	Haradhan Mahto	238	2
8.	Raghu Mahto	259	200
9.	Ashari Mahto	257	146
10.	Bijay Mahja	263	108
11.	Sarbali Manghian	272	117

The Secretary, Kamgar Shramik Sahyog Samiti had submitted to the Sr. Personnel Officer of Sudamdih Washery under his letter dated 2/7-2-1989 a list of 444 persons purported to be working under the Samiti and the names of the following persons do not appear in that list. This is indicative of the fact that these persons are being sought to be included later on :—

Name of worker	Sl. No. in annex to Ref. order.
Shambhu Nath Mahto	
S/s Devial Mahato	6
Finchi Mahato	17
Chaltu Roy	55
A lhi Roy (Paamanik)	86
Amar Mahato	156
Ajoy Bouri	278

In the present reference the names of father/husband of persons are missing in respect of some concerned persons. This reveals an attempt of the union to induct fake persons. Kamgar Shramik Sahyog Samiti was informed by the management not to engage persons exceeding 250 but the Samiti disregarded the advice and went on inflating the names of persons. The management questioned the Sahyog Samiti about the state of affairs but it kept quiet and refused to reply to the management's letter. The management has alleged that the Samiti and the sponsoring union are exploiting the management and holding it to ransom as the management, because of its commitment to steel plants to supply clean coal, cannot afford stoppage of work in the washery. It has further been alleged that the union has fabricated documents and is still fabricating documents. Most of the persons referred to in the annexure to the reference have not worked at all in the washery and in the case of others the number of days worked by them is very small. In the context of facts and circumstances, the management has prayed that the present reference be rejected.

4. In rejoinder to the written statement of the management, the sponsoring union has reiterated that there exists

relationship of employer and employee between the management and the concerned workmen. The union has denied that the present reference is in violation of provisions of Contract Labour (Regulation and Abolition) Act. The union has denied and disputed every fact impinging on the demand of the union. It has been emphatically stated that during the process of washing of coal fine particles of good quality coal flow out of the washery and deposit in the tanks/ponds constructed by the management. It has been denied that the ponds are situated outside the washery premises. The union has also denied that the tailings or rejects are deposited in the slurry pond. It has been asserted that the concerned workmen were working in the construction of washery and at that time also the concerned workmen were working under the direct control and supervision of the management. Some of the workmen who were working alongwith the concerned workmen had raised an industrial dispute demanding their regularisation through Coalfields Labour Union and the dispute was referred for adjudication to Central Government Industrial Tribunal No. 3 at Dhanbad. The Presiding Officer of Tribunal No. 3 passed an award in favour of the workmen and directed the management to reinstate them in service with full back wages. The award was challenged before Hon'ble Patna High Court. The High Court also confirmed the award. The concerned workmen and their union did not, however raise any dispute on the assurance of the management to regularise them as slurry cleaning mazdoor. It has been alleged that the paper arrangements have been made by the management for creating an impression that the concerned workmen are the workmen of the Co-operative Society; This is nothing but legal camouflage to deprive the poor workmen of their legitimate wages and other demands. The union has denied hotly that the sponsoring union and Sahayog Samiti inflated the number of workmen working in the slurry ponds.

5. In rejoinder to the written statement of the sponsoring union, the management has denied and disputed the contentions of the union and asserted the fact as already stated in its written statement. The management has asserted that the demand for regularisation of the concerned persons is untenable and unjustified.

6. The sponsoring union in support of its case has examined two witnesses, namely. WW-1 Jagon Seren and WW-2 Md. Tujab, two of the concerned workmen and laid in evidence a number of documents which have been marked Exts. W-1 to W-14.

On the other hand, the management in refutation of the claim of the sponsoring union has examined only one witness, namely, Sri Inderjit Ghosh, a qualified Mining Engineer, at present holding the post next to the Project Officer who is No. 1 in Sudamdih Washery and laid in evidence a mass of documentary evidence which have been marked Exts. M-1 to M-17.

7. Sudamdih Coal Washery, as written statement-cum-rejoinder of the management discloses, is one of the coal washeries of M/s. B.C.C. Ltd. which is a Government Company within the meaning of Section 617 of the Company's Act and this washery was constructed in 1980 through a contractor on turn-key contract basis. The report on Study and Improvement of Flotation Plant at Sudamdih Washery submitted by Central Fuel Research Institute, Dhanbad, Bihar, and produced by the management indicates that Sudamdih Washery was commissioned in 1980 as one of the First Modern Pit-Head units in Jharia Coalfield was constructed after nationalisation of coking coal sector in 1972. MW-1 Indrajit Ghosh is a qualified Mining Engineer and holding No. 2 post in the hierarchy of Sudamdih Washery set-up. He has stated that he joined Sudamdih Washery in 1980. Thus from these evidence it is conclusive established that Sudamdih Washery was constructed and commissioned in 1980.

8. Admittedly, there exists as many as six Pakka slurry ponds or effluent ponds and three Kacha slurry ponds or effluent ponds. The management has produced a sketch map of these ponds (Ext. M-13). The map indicate that there exists as many as six pakka slurry ponds but the other three Kacha ponds have come into existence by natural process. Shri Ghosh in his earlier testimony before this Tribunal in connection with Reference No. 62 of 1989, stated that the management earlier excavated six PAKKA ponds for settling down the slurry and it is a fact since the slurry was overflowing PAKKA ponds, three KACHA ponds were excavated. WW-1

Jogen Soren, one of the concerned workmen has stated that there are as many as six PAKKA ponds and three KACHA ponds and these ponds were constructed by M/s. B.C.C. Ltd. so, there is no escape from this position that the management excavated all these nine ponds—six PAKKA ponds and three KACHA ponds for settling down the slurry. It remains now to be considered if these slurry ponds are situated within the premises and precinct of Sudamdih Washery or not.

9. It is the contention of the management that these slurry ponds are not within the precinct and premises of the Sudamdih Washery. The map (Ext. M-13) produced by the management, indicates that these slurry ponds are separated from the washery by a compound wall and a gate. Shri Ghosh, in his testimony, stated that slurry ponds are situated outside the washery and there exists a boundary wall between washery and slurry ponds and there exists a road also between the boundary wall and slurry ponds. Nevertheless Shri Ghosh has admitted that these slurry ponds were constructed by the management of M/s. B.C.C. Ltd and the land covering slurry ponds belongs to M/s. B.C.C. Ltd. W.W.1 Jogen Soren has also stated that these slurry ponds were constructed by M/s. B.C.C. Ltd. and all are situated in the land belonging to M/s. B.C.C. Ltd. Thus, from the evidence on record, the position is clinched that the slurry ponds belong to the establishment of the management of M/s. B.C.C. Ltd.

10. Shri Ghosh has outlined the function of the washery in his earlier testimony before this Tribunal in Reference No. 62 of 1969. He has stated that the function of washery is to wash raw coal for supply to steel plant and during the process of washing the quantity of ash content in coal is reduced and other qualities of coal improved as substance of energy. The principal function of the washery as underlined by Shri Ghosh has not been assailed.

It appears that there is some dispute between the parties arrayed as to what is called slurry. According to the management, in the process of washing/beneficiation of coal in the washery, some fine particles of coal flow out along with some special liquid solution used for the purpose of washing coal and this is called slurry which is collected in the ponds situated outside the washery premises and the water which is a constituent of slurry is removed and fine particles of coal are salvaged and stacked. When these fine particles flowing out of the washery with slurry assume below a given size/quality, the slurry is called tailings or rejects.

According to the union, slurry is nothing but fine particles of good quality of washed coal which flows out of the washery and settles down in the ponds/tanks excavated by the management.

Shri Indrajit Ghosh in his earlier testimony in Reference No. 62 of 1989 stated that in the process of washing coal in the washery, effluent comes out of the washery. Effluent consists of water, fine particles of coal and sandy particles. The composition of effluent varies from time to time, but the total percentage of solid out of effluent is about 25 per cent and effluent goes down to effluent ponds called also the slurry ponds. The solid portion of coal settles down in the pond and the watery portion is reveled back to the washery and the solid portion which is settled down in the pond is excavated. In cross-examination, he has admitted that washery slurry and washery effluent are interchangeable terms; he has also admitted that the management has not filed any document to establish the fact as to the composition of total percentage of solid in the slurry. The management has not also disclosed the percentage of composition of solid in the slurry in its written statement. Anyway, from the evidence on record, it is established that in the process of washing of coal in the washery effluent or slurry comes down which is composed of fine particles of coal, water and sandy particles and this effluent or slurry is deposited in the slurry ponds. The evidence on record reveals that the process of washing of coal in the coal washery is necessary for beneficiation of coal in order to make the same suitable for use in the steel plants by reducing the ash content and improving other qualities of coal as substance of energy.

11. According to the written statement of the management, raw coal fed into the washery per day is about 4,000 tonnes while out-put of clean coal is 2,000 tonnes per day and the middlings coming out of the washery are in the region of 1,700 tonnes per day and the remaining quantity representing the slurry is about 3,00 tonnes per day. These statements

or facts have been totally denied by the sponsoring union in its rejoinder to the written statement of the management.

Shri Ghosh, in his testimony, has stated that 4,000 tonnes raw coal is fed into washery every day and approximately 2,000 tonnes cleaned coal come out every day and 1800 tonnes middlings are generated every day. In cross-examination he has admitted that the management has not filed any document in support of the statements that 4,000 metric tonnes of raw are fed into washery every day. He has further stated that the management has got record to show the quantity of raw coal fed daily into the washery and daily production of clean coal, middlings and slurry. He has admitted that they have not filed such documents, but if required they can file the same. No such documents have, however, been filed.

WW-1 Jogen Soren, in his testimony, has disputed the fact that only 300 tonnes of slurry are discharged daily into slurry ponds from the washery.

It appears from the evidence of WW-1 Jogen Soren and WW-2 Md. Taiyab that the management has fixed work-load for slurry removal workers at Sudamdih Coal Washery at 3.1 cubic metre per head per day. This fact is supported by the report on work load of slurry removal workers at Sudamdih Washery conducted at the instance of the management. (Ext. M-12). The report also indicates that removal of slurry from the slurry pond is done manually by the workmen of Co-operative Society and there are 400 workmen on roll who work in groups. The report further indicates that the operation of slurry removal job is carried out in one shift and 229 workmen attend duties per day (Ext. M-12).

According to Shri Ghosh, 300 metric tonnes comes to about 450 cubic metre. Thus, even as per report produced by the management the discharge of slurry is much more than 300 metric tonnes per day. Shri Ghosh in his testimony in Reference No. 62 of 1989 has admitted in cross-examination that bleeding in slurry ponds has increased. His testimony is that earlier 2500 tonnes of coal were washed in the washery per day and recovery of clean coal was 65 per cent and later the amount increased to 4000 tonnes per day and the percentage of clean coal decreased to 65 per cent. Shri Ghosh has also admitted that earlier the management excavated six PAKKA ponds for settling down the slurry and since the slurry was over-flowing the PAKKA ponds three KACHA ponds were excavated. Regard being had to the entire evidence on record, I have no hesitation to hold that the discharge of slurry into slurry ponds is much more than 300 tonnes per day. Evidently, the management has tried to minimise the discharge of slurry into slurry ponds from the washery in a bid to highlight the fact that it has got no requirement for a work-force of 400 or more. But this attempt has not made any head-way in view of the evidence already discussed above.

12. Shri Ghosh, irrepresable as he is, has stated that the management has carried many modifications in the washery and this was done sometime in August, 1991. According to him, these modifications are that the second filter circuit has been started in order to arrest some particles of coal from coming out of the washery and that the second thicker under flow pumps have been installed for recovery of more slurry in the middling circuit and that they have arrested 30 per cent of water flowing out of the washery into the slurry ponds along with fine coal. Shri Ghosh has admitted in cross-examination that the management has not filed any document to show that in August, 1991 they had carried out some modifications in the washery or that the management started second filter circuit and installation of second thickener under flow pumps. This being the position, the claim of the management of having made some modifications in the washery in order to arrest the volume of discharge of slurry into slurry ponds is not at all based on any hard evidence and as such cannot be relied on.

13. Undeniably, removal of slurry done by the workmen engaged in slurry ponds is an integral part of the establishment of Sudamdih Washery. The management of the Washery could not till now implement effectively any technical expertise so as to arrest discharge of slurry into slurry ponds totally or in considerable lower volume. Slurry removed from the slurry ponds as the written statement of the management discloses is loaded into trucks by way loader and

transported to site fixed by the management, and slurry removal workers are not at all connected with operation of loading and transportation. WW-1 Jogen Soren, one of the concerned workmen, has stated that their duties are to remove the slurry from the slurry ponds and to stack the same by the side of the ponds. Slurry so stacked is being loaded into trucks by the pay loader in order to dump at the railway siding. Slurry so dumped in the railway siding is loaded into railway wagons alongwith washed coal. WW-2 Md. Taiyab, another concerned workman, has stated that their duties are to remove slurry from slurry ponds and deposit the same on the bank of the ponds. Slurry so deposited is lifted by the pay loader of M/s. B.C.C. Ltd. and transported to railway siding. By pay loader the slurry so deposited is lifted on to railway wagons for movement to destination. Thus, it is seen that the slurry is used for the purpose of the establishment of the management.

14. The management has asserted that the concerned workmen are the workmen of Kamgar Shramik Sahayog Samity. According to the written statement of the management, when the contract work of the washery was completed and there was no work for the contractor and his men, Sri A. K. Roy, the then M.P., Dhanbad and the President of the sponsoring union, Bihar Colliery Kamgar Union, launched an agitation and the Dy. Commissioner, Dhanbad, had to intervene in the matter. At the instance of the Dy. Commissioner and on the demand of Shri Roy the management agreed to provide the jobs of slurry cleaning removal at Sudamdih Washery. Thus, it is evident from the pleading of the management that the workmen of the ex-contractor were given with choice of forming a Co-operative Society having which there would be no work for them. The management has stated that Co-operative Society is a registered body and produced its rules (Ext. M-7). But these rules by themselves do not show that the concerned workmen are members of this Society. There is no positive evidence to indicate that the concerned workmen are the members of this Society.

Then again, the management has asserted that contractual job of removal of slurry was awarded to the Co-operative Society aforesaid and the Co-operative Society has been executing the work by employing its own workmen and the concerned workmen are the workmen of this Society.

M/s. B.C.C. Ltd., is a public sector undertaking. Admittedly, tender is required to be floated for awarding contractual work. But in the present case no evidence has been laid to show that tender was floated. The management has produced some bills purported to have been submitted by the Kamgar Shramik Sahayog Samity. Strange though it may be seen these bills are printed on the stationery of M/s. B.C.C. Ltd. (Ext. M-4). Some wage-sheets (Exts. M-3 series and M-18) have been produced by the management to show that Sahayog Samity has paid wages to its workmen. The sponsoring union has asserted that all these arrangements are paper arrangement in order to camouflage the real position and suppress the fact that the concerned workmen are the workmen of Sudamdih Coal Washery. I have already held that the place of work of the workmen working in the slurry ponds belongs to M/s. B.C.C. Ltd. and that the job of slurry removal is an integral part of the establishment of the management of Sudamdih Washery. Slurry removal work from the slurry ponds is undertaken for the purpose of establishment of the management of Sudamdih Washery.

15. The sponsoring union has claimed that the concerned workmen have been working in the slurry ponds as slurry removal workmen and that they have been doing their work under the direct control and supervision of the management and that the work implements are supplied by the management. These statements of facts have been denied by the management in its written statement. Shri Ghosh has also denied this. But two of the concerned workmen who examined themselves in this case have asserted that they have been working under the direct control and supervision of the management and that the management has been providing them with work implements. The Project Officer of Sudamdih Washery by letter dated 2-8-89 directed the Secretary of Sahayog Samity to submit the list of workmen working in slurry ponds alongwith recent photographs (Ext. W-1). Similar request was made earlier by letter dated 26/28-7-89 (Ext. W-2) and letter dated 20-7-89 (Ext. W-3). The Project Officer fixed the work-load for the workmen

working in the slurry ponds at 3.1 cubic metro per head per day by letter dated 11/12-7-89 (Ext. W-4). The management directed the Samity to take action for excavating slurry pond properly (Exts. W-5 and W-6). The management advised the Samity to resort to dumping of slurry first in the stack yard in railway siding (Ext. W-7). The management also directed the Samity not to increase manpower without its consent (Exts. W-8 and W-9). All these evidence indicate that the concerned workers working in the slurry pond are broadly under the control of the establishment of the management. It has been held by Hon'ble Supreme Court that when a worker or group of workers labours to render service which forms integral part of service of another and utilised as such, then the other is, in fact, the employer even though the employment is brought about by or through some other person acting under the supervision and control of the former (1978 Lab. I.C. 1264 between Hussainbhai Vs. The Alath Factory Tezhilali Union and others). This position has been relied on by Calcutta High Court in the case reported in 1991 Lab. I.C. 1062 (Divisional Railway Manager, Eastern Railway Vs. Satyajit Mazumdar). This being the legal position, I have no hesitation to hold that the concerned workmen are the real workmen of the management of Sudamdih Coal Washery. This being so, there exists relationship of employer and employee between the management of Sudamdih Coal Washery and the concerned workmen.

16. Meanwhile, the Central Government, by Notification dated 11-12-1990 prohibited the employment of contract labour in the works/operations of (i) Transport of middling; and (ii) Removal of slurry, in the coal washery in the country (Ext. W-11).

The sponsoring union has produced a letter dated 25-7-1991 written by the General Manager, Sudamdih Area to Nitai Mahato, Area Secretary of the sponsoring union at Sudamdih, whereby the General Manager has expressed his intention to discuss the matter of implementation of the award passed by the Central Government Industrial Tribunal, Dhanbad, in Reference No. 66 of 1990 and Reference No. 62 of 1989 (Ext. W-10). The sponsoring union has also produced a letter dated 10-9-91 (Ext. W-12) written by the Director (Personnel) of M/s. B.C.C. Ltd. to the Chief General Manager, Central Coal Washeries Organisation, Saraidhela, Dhanbad, whereby the later was advised to assess the manpower requirement and to take steps for departmentalisation of the workmen on the job of slurry removal and transportation of middlings in Coal Washery. The management, it appears, have been taking all these steps after the prohibition of employment of contract labour in the work/operations of transport of middling and removal of slurry by the Central Government.

17. The sponsoring union has claimed that the concerned workman have been continuously working in Sudamdih Coal Washery in permanent and prohibited category of job of removal of slurry and in the process they have put in 240 days attendance in each calendar year. Removal of slurry is an integral part of the work of the establishment of the management. The employment of contract labour on the job of removal of slurry has since been prohibited by the Central Government. The two concerned workmen who have deposed before me have asserted themphatically that all the concerned workmen including themselves have been working in Sudamdih Coal Washery continuously and in the process they have completed 240 days attendance in each calendar year. There is no hard evidence contra to disprove this fact.

18. Shri R. S. Murthy, Advocate for the management, has contended that the sponsoring union by its demand has demanded abolition of contract system in the job of slurry removal. This argument has now become meaningless as the Government has already prohibited employment of contract labour on the job of slurry removal. Then again the sponsoring union has not demanded abolition of contract system on the job of slurry removal in the present case. Hence the argument, it appears, by Shri Murthy is of no avail. The sponsoring union has claimed Group-III stackers for the concerned workmen. As per N.C.W.A. III stackers are entitled Group-III wages. In the course of performance of duties the concerned workmen have to remove slurry

from the slurry pond and to deposit it by the side of the pond WW-1 Togen Soren has admitted that they have been getting wages as available to Category-I Mazdoor as per N C W A since January this year. In my view, they are entitled to Group-III wages because they are not only stacking slurry by the side of the slurry pond but also removing the same from the slurry pond and their work load has been fixed at 31 cubic meter per head per day.

19 The management has complained that some eleven workmen figuring in the present reference figured in Reference No 62 of 1989 and that some six workmen figuring in the present reference were not shown to be the workmen of Kamgar Shramik Sahayog Samity in its letter dated 2/7-2-89. But the management has not pursued the matter in the course of hearing of the case by adducing any evidence. WW 2 Md Taivab has explained the position in his testimony before this Tribunal. That being so the complaint of the management on this score does not stand on firm footing.

20 Upon consideration of evidence on record and facts and circumstances of the case I come to the conclusion that the demand of Bhar Colliery Kamgar Union for departmentalisation of 297 workmen listed in the annexure under the management of Sudamdih Coal Washery of M/s BCC Ltd is justified.

21 Accordingly, the following is read—

the demand of Bhar Colliery Kamgar Union for departmentalisation of 297 workmen listed in the annexure under the management of Sudamdih Coal Washery of M/s BCC Ltd is justified. They are entitled to Group-III wages less wages already paid from the date of reference of the present industrial dispute i.e. 7-12-1990.

In the circumstances of the case, I award no Cost.

This is my award.

Sd/-

S K MITRA, Presiding Officer

नई दिल्ली, 9 जुलाई, 1992

का आ 2065 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार, देना बैंक के प्रबंधक के सबख नियोजकों और उनके कर्मचारों के बीच, अन्वय में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-7-92 को प्राप्त हुआ था।

[संख्या एल-12012/399/88—डी-2 (ए)]

बी के बेण्गोपालन, डैस्क अधिकारी

New Delhi, the 9th July, 1992

SO 2065—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Dena Bank and their workmen which was received by the Central Government on the 3rd July, 1992.

[No I-12012/399/88-D II(A)]

V K VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this 30th day of June 1992

PRESENT

Shri M. B. Vishwanath B.Sc., LL.B., Presiding Officer
CENTRAL REFERENCE NO 63/88

1825 GI/92—11

I PARTY

Devaraj
Cleaner cum Sepoy,
Rep. by General Secretary,
Dena Bank Employees
Trade Union Congress,
Dena Bank,
K. G. Road,
Bangalore-09

V/s

II PARTY

The Regional Manager,
Dena Bank,
Sona Towers,
Millers Road,
Bangalore-52

AWARD

In this reference made by the Hon'ble Central Government under Section 10(1)(j) of ID Act, 1947, by its order No L 12012 399/88/D 2(A) dated 18th November, 1988, the point for adjudication as per schedule is —

"Is the Management of Dena Bank justified in debar-
ring Sri Devaraj, Cleaner-cum-Sepoy from holding
any special allowance carrying post for a period of
three years vide their letter dated 27th July, 1987?
If not, to what relief the workman is entitled?"

2 In the claim statement it is contended by the I party that

The workman Devaraj is a cleaner-cum-Sepoy in the II party bank. He has been working at the J C Road branch of the Bank. By the memorandum dated 27th July, 1987 this workman was informed that he refused to accept the offer to perform cash peon duties at Peenya Branch and therefore he was debarred for three years from holding any special allowance carrying post. It is true that workman refused to accept the offer. He refused to accept the offer of cash-peon duties at Peenya Branch because of the order regarding the said offer was malafide and was not in accordance with the conditions of service which were applicable to I party. The offer of the said post has not been made to SI Nos 24 to 27 deliberately. In the seniority list the serial number of the workman Devaraj is 28. The offer of cash-peon duty out of turn was made to the workman to work at a distance far off from his residence. The workman represented that his residence was at Koramangala and it was difficult for him to work at Peenya Branch. The action of the II party management is illegal. The order passed by the II party debarring the workman from being posted as cash-peon is illegal and he be posted as a cash-peon only when his turn comes in the vacancy position.

3 In the counter statement it is contended —

The seniority referred to by the I party in the claim statement is correct. But the other allegations are false. It is true that the II party issued a memo (order) dated 27th July, 1987 to the workman informing him that on account of his refusal to accept the offer to perform duties of cash-peon at Peenya branch he was debarred for a period of three years for the allowance carrying post in Bangalore centre. This was in accordance with the memorandum of settlement. The action or order of the II party is perfectly legal. The I party could not have refused the offer made by the II party to work as cash-peon at Peenya Branch.

4 The counter statement has been subsequently amended. Through the amendment, the stand taken is that subsequently a cash carrying peons post became vacant at Indiranagar branch and the workman Devaraj being eligible to hold the said post said post was offered to him. The workman has accepted the said posting and has been working at Indiranagar branch since February 1989 as a peon with cash carrying allowance. The workman has given a letter dated 13th February, 1989 stating that he would not press the reference and would withdraw his case (the present reference 63/88). Under these circumstances the reference is not maintainable and has to be rejected.

5. The I party, on 8th August, 1989, has filed the rejoinder. In the rejoinder he has reaffirmed his case set out in the claim statement. It is stated in the rejoinder that the letter dated 13th February, 1989 referred to by the II party was taken by the workman Devaraj by some top officers by visiting the house of Devaraj. The Union is the I party and the offer should have been made to the Union. The II party cannot put an end to the present reference by questionable methods. The request of the workman to withdraw the dispute has no relevance because the dispute has been raised by the Union.

6. My Learned Predecessor has framed the following two additional issues :—

1. Whether the reference is not maintainable and is reliable to be rejected for the reasons shown in para 13A of the counter statement?
2. Whether the action of the II party management and the concerned employee have no relevance to the dispute and whether the reference is still maintainable as contended by the I party in para 5 of the rejoinder?

7. On behalf of the II party no evidence has been adduced (See order sheet dated 27th November, 1990). On behalf of the I party W.W. 1 Jayakumar, General Secretary of the Dena Bank Employees Union has been examined. Exs. M.1 to 8 are marked through W.W.1. These documents were produced by the II party.

8. The memorandum dated 27th July, 1987 issued to the workman Devaraj, unfortunately not marked, is not disputed. Its xerox copy is before the Tribunal. As per this order in the memorandum the workman has been debarred for a period of 3 years from holding any allowance carrying post as per the settlement because he refused to accept the offer to perform cash-peon duties at Peenya Branch.

9. At the outset it is argued by the Learned Counsel for the II party that the reference is not maintainable since the period of three years mentioned in his memorandum has elapsed. When the reference has been made, the Tribunal is bound to pass its award, rejecting the reference or accepting the reference. If an award is passed in favour of the workman, he will be entitled to some benefits like back wages. So there is no force in the argument that the reference is not maintainable.

10. The main argument advanced by the Learned Counsel for the II party is that the reference is not maintainable and should be rejected because the workman Devaraj has given a letter to the II party stating that he would withdraw the reference before this Tribunal. In this regard the Learned Counsel relied on the decision of our Hon'ble High Court reported in FIR 1982 Page 148 (Mysore Structuralis Ltd., v/s. Workmen of Mysore Structuralis Ltd.). In this case his Lordship the Hon'ble Mr. Justice K. A. Swamy has been pleased to lay down that even if the workman is represented by the Trade Union (as in this case), the right of the workman to settle his dispute himself with the employer is not taken away. The Learned counsel for the I party stated this decision was not applicable to the facts of the case. But he was unable to say how it was not applicable. It is clear from the Law laid down by our Hon'ble High Court that the workman himself can settlement the dispute before the Tribunal, though his cause has been championed by the Trade Union.

11. But there is great difficulty for this Tribunal to apply the law laid down by our Hon'ble High Court and give a finding in favour of the II party.

12. The alleged letter given by the workman Devaraj to the II party has been produced before this Tribunal by the II party. But it has not been marked and it has not been proved according to Law. It was obligatory on the part of the II party to examine a proper person to get the letter marked and prove it. That has not been done. This alleged letter has not been unequivocally admitted by the I party. In the rejoinder filed by the I party it has been stated that the II party cannot put an end to the dispute before this Tribunal by using questionable and objectionable methods. It has been stated that the top Officers of the II party went to the house of workman Devaraj and got the alleged letter. This obviously means that the I party has renudiated the letter alleged to have been given voluntarily by the workman Devaraj to the II party.

13. The I partly General Secretary of Dena Bank Employees' Union (W. W. 1) has stated in his evidence that the workman Devaraj told him that the letter was obtained from him when he was in his house. No doubt he has stated that he has got knowledge of the letter. This is not sufficient in view of the say of W. W. 1 that Devaraj told him that the letter was obtained from him when he was in his house.

14. From the discussion made in the above paras I am of opinion, the alleged letter given by workman Devaraj has not been proved. So I hold additional issue No. 1 against the II party and additional issue No. 2 in favour of the I party. The reference is maintainable and cannot be rejected as contended in para 13 A of the counter statement. The action of the II party management and the workman Devaraj have no relevance to the present dispute since the letter has not been proved.

15. Now the point for consideration is whether the II party Bank was justified in debaring the workman Devaraj, Cleaner-cum-Sepoy from holding any special allowance carrying post for a period of 3 years as per the letter dated 27-7-1987. It is not disputed that if a cleaner-cum-sepoy refuses to accept the post of cash-peon is liable to be debarred for 3 years from holding any special allowance carrying post. It is not disputed that the workman Devaraj refused to accept the post of cash-peon when he was offered.

16. Ex. M. 6 is the Seniority list of the subordinate staff. This shows the seniority of cleaner-cum-sepoy. In the seniority list, the present workman Devavraj stands at No. 28. Above him there are four persons belonging to the category of the workman Devaraj. They are Mannan (Sl. No. 24), Udayakumar (Sl. No. 25), K. Venkataiah (Sl. No. 26), and Gopalan (Sl. No. 27). When the vacancy of cash peon at Peenya arose, it is most significant to note, it was not offered to the said four senior persons but it was offered to workman Devaraj. The conduct of the II party shows, as rightly contended on behalf of the I party, that it was offered to workman Devaraj because Peenya was far off from the residence of the workman. The lack of bonafides in the offer made by the II party to the workman Devaraj is writ larg from the records. The workman Devaraj cannot be penalised for refusing the offer of cash peon post.

17. For the aforesaid reasons the reference has to be accepted.

18. All other documents and evidence not referred to by me are not relevant. In any case they do not alter the conclusions reached by me above. I have touched the salient points.

AWARD

The management of Dena Bank was not justified in debarring the workman Devaraj, Cleaner-cum-Sepoy from holding any special allowance carrying post for a period of 3 years as per the letter dated 27-7-1987.

The workman is entitled to the special allowance if any which he was getting in his post cleaner-cum-sepoy.

Reference accepted as stated herein.

No costs.

(Dictated to Stenographer, taken down by him, got typed, corrected and signed by me).

M. B. VISHWANATH, Presiding Officer.

Dated : 30-6-1992.

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2066 .—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स बी. सी. सी. एल. के लोपना एरिया सं. 10 के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक प्रतिक्रिया, (सं. 1), धनबाद में पत्राचार को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-7-92 को प्राप्त हुआ था।

[संख्या एल—20012/307/90—आई. आर. (कोल-I)]
बी. क. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2066.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Lodna Area No. X of M/s. BCCL and their workmen, which was received by the Central Government on the 8-7-1992.

[No. L-20012/307/90-IR(C.I.)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD
In the matter of a reference under Section 10(1)(d)
of the Industrial Disputes Act, 1947

Reference No. 17 of 1991

PARTIES :

Employers in relation to the management of
Lodna Area No. X of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar INDUSTRY : Coal

Dated, the 26th June, 1992

AWARD

By Order No. L-20012/307/90-I.R. (Coal-I), dated the 19th March, 1991, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Lodna Area No. X of M/s. BCCL, P.O. Khas Jeenagora, Distt. Dhanbad in dismissing Shri D. K. Sarkar, Accounts Asstt. w.e.f. 18/19-9-1989 is justified? If not, to what relief the workman is entitled?"

2. The case of the management of Lodna Area X of M/s. B.C.C. Ltd., as disclosed in the written statement-cum-rejoinder, details apart, is as follows :

The present reference is not legally maintainable. The concerned workman, Dilip Kumar Sarkar, worked as Accounts Clerk at Bagdigi Colliery during the period from November, 1975 till 19-9-1981. As an Accounts Clerk it was his duty to prepare or/and check Leave Travel Concession bills, hereinafter referred to as L.T.C. bills, of the employees of Bagdigi colliery before passing for payment. In the course of checking the payments made to the employees of Bagdigi colliery on account of L.T.C. for the block years 1979—82, it was observed that the concerned workman prepared and checked L.T.C. bill on higher rates than admissible or checked for passing payments of L.T.C. bills at higher rate than admissible or in favour of retired or non-existent persons. The concerned workman caused loss of huge amounts to the management for his illegal gain to himself or to his fellow workers. In the circumstances, the management issued a chargesheet dated 18-9-82 under Clause 27(2) of the Certified Standing Orders applicable to Bagdigi and Lodna Colliery for commission of misconduct of theft, fraud or dishonesty in connection with company's business or property. The chargesheet underlines the details of the amounts lost by the management by way of over payments to workers and others on account of L.T.C. The concerned workman was fully associated with the checking process and confessed his guilt on the plea of mistakes. He submitted his reply dated 29-9-1982 practically accepting all the acts committed by him but taking the defence of bonafide mistakes. The management decided to hold domestic enquiry and in the process appointed Shri S. P. Grover, the then Personnel Manager as Enquiry Officer by letter dated 11-10-1982. Shri S. R. V. Raman, the Finance Officer represented the management in the domestic enquiry at the earlier stage. Later on Shri S. K. Ertiyar, Dy. Personnel Manager was appointed as management's representative. The Enquiry Officer held the enquiry in presence of the concerned workman. Large number of documents were produced and marked exhibits with the consent of the concerned workman who did not raise any objection against the Enquiry Officer on the procedure of enquiry. He participated in the domestic enquiry which was held in conformance to the principles of natural justice. The Enquiry Officer held the concerned workman guilty of the charges of misconduct levelled against him in his report and sent the report to the General Manager of Lodna Area by his letter dated 1/3-7-1985 with all relevant papers. The General Manager/Chief Mining Engineer dismissed the concerned workman by letter dated 18/9-1989. The departmental enquiry was conducted by an officer of the Headquarters, who forwarded the papers by his letter dated 1/3-7-1985. The file remained misplaced for a period of our years and was not placed before the General Manager. Thus, there was some delay in issuing the order of dismissal.

3. The case of the concerned workman, as disclosed in the written statement submitted on his behalf by the sponsoring union, briefly stated is as follows :

The concerned workman had been working as permanent Accounts Assistant at Lodna Area since long with unblemished record of service. He was

appointed as permanent workman by the erstwhile employer while the colliery was under the private management in the year 1963. The management of Lodna Area was biased and prejudiced against him for his union affiliation. It has been asserted that the management was on the look out to victimise him on some plea and other. The higher official of the management with the mala fide aim to victimise him issued a false and frivolous charge-sheet dated 18-9-1982 wherein and whereby some false allegations of alleged wrong payments with regard to L.T.C. and L.L.T.C. to workmen were made. The concerned workman and no hand in preparation of L.T.C. and L.L.T.C. bills. He had no business of checking and verifying the L.T.C. and L.L.T.C. Bills. No order in writing was ever issued to him by the management for doing the job as alleged in the charge-sheet. He submitted his reply denying the charges. The management, after receiving his explanation, appreciated the explanation submitted by him and for that reason remained silent without conducting departmental enquiry. No criminal case was instituted against him for the alleged offence. Subsequently he alongwith he alongwith three others, namely, S. K. Dey, Head Clerk, S. K. Bhattacharjee, Bill/Pay Clerk and Kailash Prasad, Bill/Pay Clerk were chargesheeted for the same offence. Only two persons, namely, the concerned workman and S. K. Bhattacharjee have been dismissed by the management after conducting perfunctory and invalid enquiry. The management has not yet completed the enquiry concerning Kailash Prasad and S. K. Dey was allowed to retire from service and his legl dues have been paid. The management issued chargesheet to the concerned workman in September, 1982 for an alleged offence committed by him in November, 1975. The management started conducting the enquiry on 15-4-1983 and completed the same on 26-9-1983. After completing the enquiry the management remained silent over the matter and all of a sudden the management issued a letter dated 18.19-9-1989 dismissing the concerned workman from service. He was dismissed even though the explanation submitted by him was sufficient. The charge-sheet was issued by the Area Manager (Technical), who had no authority under the provision of Standing Orders to issue the chargesheet. The enquiry has been conducted by an unauthorised person. The Enquiry Officer was biased and prejudiced against him and did not allow the concerned workman to cross-examine the management's witness or to examine his full defence witnesses. The enquiry was conducted in a most perfunctory manner and finding of the Enquiry Officer caused prejudiced to the concerned workman. Even in the invalid and irregular enquiry the charge against the concerned workman was not proved, still then the Enquiry Officer held him guilty of the charge of misconduct. The finding of the Enquiry Officer was perverse and contrary to the legal evidence adduced in the domestic enquiry which was conducted in violation of the principles of natural justice. The concerned workman challenged his dismissal from service but without any effect. Seeing no other alternative, the union raised the present industrial dispute before the A.L.C.(C), Dhanbad and the appropriate Government has been pleased to refer the dispute for adjudication by this Tribunal. The action of the management in dismissing the concerned workman from service with effect from 18/19-9-1989

is unjustified. It has been asserted that the dismissal of the concerned workman is too harsh and disproportionate to the alleged offence. In the circumstances, the union has prayed that an award be passed in favour of the concerned workman and the management be directed to reinstate him in service with full back wages.

4. In rejoinder to the written statement of the sponsoring union the management has stated that the concerned workman was working as Accounts Clerk at Bagdigi during the relevant period from November 1975 to September, 1981. Record is not available with the management regarding his past conduct prior to 1975. It has been denied that the management was biased and prejudiced against the concerned workman for his trade union activities or that the higher official of the management with mala fide intention issued a false and frivolous chargesheet against the concerned workman. The plea that the concerned workman had no hand in preparation of and checking and verifying L.T.C. bills has been concocted for the purpose of this case. The concerned workman submitted his reply admitting the commission of acts alleged against him but took the defence plea of bonafide mistake. The concerned workman was issued with a chargesheet in 1982 for commission of misconduct of dishonesty in respect of L.T.C. payments for the block year 1979-1982 and not for commission of misconduct in 1975. The Area Manager (Technical) is competent to issue chargesheet to a workman and to appoint the Enquiry Officer. The concerned workman was not dismissed from service by unauthorised person. It has been asserted that the principles of natural justice was followed in conducting the departmental enquiry against the concerned workman.

5. In rejoinder to the written statement of the management, the union has asserted that the present reference is maintainable. According to the union, it is false to allege that any wrong payment has been made to any person due to alleged dereliction of duty by the concerned workman. It is false to submit that in the course of checking of L.T.C. for 1979-1982 it was observed that the concerned workman prepared and checked L.T.C. bills at higher rate than admissible or that he passed any L.T.C. bill at higher rate than admissible or that he passed L.T.C. Bill for any person who had retired from service or a stronger. It is absolutely false to state that the concerned workman was fully associated with the checking process. It is also absolutely false that the concerned workman confessed to his alleged guilt. Shri S. R. V. Raman refused to act as management's representative after appreciating the facts of the case. The management then appointed a biased officer who acted at the instance of the management to influence the Enquiry Officer. The General Manager of the Area was not the Chief Mining Engineer and hence the concerned workman was dismissed by an unauthorised person. Even though the enquiry was conducted in 1983 no action was taken on the basis of invalid enquiry report in view of the fact that the official of the management at Headquarters, appreciating the actual involvement of the higher officials, such as, General Manager, Agent etc. in the alleged wrong payment of L.T.C. amount, decided not to take any action on the basis

of alleged enquiry. The General Manager, after joining his post at Lodna Area and without knowing the full facts, mechanically signed the dismissal letter though he had no authority to do so.

6. At the instance of the management the fairness and propriety of domestic enquiry was considered as preliminary issue. The management laid in evidence a sheaf of documents which were marked Exts. M-1 to M-32. The union also filed certain items of documents which were kept on record.

By order dated 6-2-1992 it was held that the domestic enquiry was held fairly and properly. Thereafter the case was heard on merits.

7. The pleading of the sponsoring union discloses that Dilip Kumar Sarkar was appointed as permanent workman in 1963 by the erstwhile employer while the colliery was under private management. This statement of fact has not been denied by the management. Anyway, the pleading of the sponsoring union discloses that Shri Sarkar was working as permanent Accounts Assistant at Lodna Area with unblemished record of service. The management, in its rejoinder, has stated that he was working as Accounts Clerk at Bagdigi colliery during the relevant period from November, 1975 till 19-9-1981. There is no dispute that Bagdigi colliery, at the relevant time, was within the jurisdiction of Lodna Area. Now the facts that remains to be ascertained is whether Shri Sarkar was working as Accounts Assistant and asserted by the union or as Accounts Clerk as stated by the management. As per NCW. As Accounts Clerks are placed in Clerical Grade-I while Accounts Assistants are placed in Clerical Special Grade—a grade higher than the Accounts Clerk. The evidence on record unmistakably establishes the fact that Shri Sarkar was working as Accounts Assistant at Bagdigi colliery. So the description of the concerned workman as Accounts Clerk by the management can be faulted as wrong description.

8. The sponsoring union has contended that Dilip Kumar Sarkar was arraigned on charges of misconduct allegedly committed by him in November, 1975. The management has disputed this fact and asserted that Shri Sarkar was issued with the charge-sheet in 1982 for commission of misconduct of dishonesty in respect of L.T.C. payment for the block years 1979-1982 and not for commission of misconduct in 1975. The report of the Enquiry Officer settles all disputes on this score at rest. He has stated that the case relates to L.T.C. payments which were made to the employees (of the colliery) in the year 1981. So it is evident that the misconducts alleged are not related to L.T.C. payments for the block years 1979-82 as stated by the management nor the misconducts are referable to the year 1975 as alleged by the union.

9. I cannot but record here some salient facts of the case.

It appears that the management leapt into action by issuing charge-sheet dated 18-9-82 against the concerned workman. The charge-sheet contains several counts of charges which I will discuss in its opposite place. The domestic enquiry started on 10-12-82; it took a meandering course and ultimately it was completed on 26-9-83. Thereafter the Enquiry Officer sat over the matter for months on end. The union has

produced a photo copy of the letter dated 22-2-84 addressed by the Enquiry Officer to the General Manager, Lodna Area. I cannot but reproduce here a paragraph from this letter which is illuminating in so far as the conduct of the Enquiry Officer is concerned :

"It is a fact that the enquiry in respect of the charge-sheet issued to Shri D. K. Sarkar was completed 2/3 months back but the enquiry report could not be prepared as certain documents were required to be furnished by the presenting officer which have not yet been produced to the undersigned. However, I am preparing the enquiry report which I hope shall be submitted to you by the end of this month."

However, ultimately, the Enquiry Officer could submit his report on 3-7-85 (Exts. M-28 and M-29). So it appears that it took almost two years for the Enquiry Officer to submit his report. Thereafter the management went on liberation for over four years and thereafter dismissed the concerned workman from service by letter dated 18/19-7-89 (Ext.M-30). Thus, it is evident that the entire exercise of the management with regard to domestic enquiry and its aftermath is not only tardy time-consuming and but benefit of business-like approach.

It is necessary to place on record another salient fact. It has been asserted by the union that three other workmen, namely, S. K. Dey, Head Clerk, S. K. Bhattacharjee have been dismissed from service and Bill/Pay Clerk, alongwith the concerned workman, were visited with chargesheet for the same offence and of the four, the concerned workman and S. K. Bhattacharjee have been dismissed from service and enquiry concerning Kailash Prasad has not been completed as yet while S. K. Dey was allowed to retire from service and his legal dues also were paid by the management. In its rejoinder to the written statement of the union, the management could not dispute these facts but stated that correct position will be explained at the time of hearing. Nothing has, however, been explained at the time of hearing by evidence.

10. In order to consider the charges levelled against the concerned workman it is essential to underline the job description of the concerned workman as Accounts Assistant. No job description has been provided in the Nomenclature, Job Description and Categorisation of Coal Employees working in clerical cadre by the Joint Bipartite Committee for the Coal Industry.

The management has asserted in its pleading that it was the duty of the concerned workman to prepare or/and check L.T.C. bill of the employees of Bagdigi colliery before passing for payment and that the concerned workman was associated with checking process of such bills. The sponsoring union has totally denied these statements of facts. It has been stated by the union that the concerned workman has no hand in preparation of L.T.C. bill nor had he any business in checking and verifying L.T.C. bills.

11. In domestic enquiry Sri A. N. Rana, Manager, Bagdigi colliery, stated that the concerned workman was working as Accountant at Bagdigi and his duty was to prepare, to check and pass the bills for payments to workers besides his other duties. After the

bills were checked the Manager/Agent used to sign the bills for payments. In cross-examination he stated that as per practice of the colliery it was the duty of the concerned workman to check and pass the bills. Shri Rana could not state correctly the designation of the concerned workman and hence it is too much to expect of him to speak about the job description of the concerned workman. Sri B. S. Singh, Senior Personnel Officer made certain allegations before the Area General Manager about L.T.C. payments. Shri Singh stated in the domestic enquiry that the concerned workman was working as Accounts Assistant and performing the duties of checking and passing the L.T.C. bill for payments besides his other duties, and sometimes he was required to prepare bills and as such, he was supposed to ensure correctness of the bills passed by him. Sri S. R. V. Raman, Finance Officer, was not working in the colliery and as such, he could not have any personal knowledge about the job description of the concerned workman. He provided job description of the concerned workman as per information of Sri P. S. Challana, the then Agent of the colliery. Shri Challana stated in domestic enquiry that it was the duty of the concerned workman to check and verify all types of payments and to prepare the vouchers for payment. After the vouchers were prepared they were brought to him for approval of the bills/amounts. Md. Kamruddin was working as Bill Clerk at Bagdigi colliery at the relevant time. He had spell out in details the procedure for disbursement of L.T.C. bills. He stated that he used to make entry of the leave particulars in the leave register and hereafter L.T.C. form used to be sent to Kailash Prasad, Labour Department Clerk alongwith leave forms. Kailash Prasad used to prepare L.T.C. bills and after preparation of such bills Shri Prasad used to send the bills to the concerned workman for checking. After bills have been checked by the concerned workman the vouchers for payment used to be prepared either by the concerned workman or Kailash Prasad. After vouchers were made and signed by the concerned workman, the same used to be sent to the Personnel Officer and then to the Agent for signature. Thereafter payment on account of L.T.C. bills used to be made to the workman either by the concerned workman or by Kailash Prasad. In cross-examination he has stated that he used to certify on the body of the leave application regarding endorsement of L.T.C. The concerned workman in his statement before the Enquiry Officer stated that his duty was to—

- (a) Cash indent analysis,
- (b) Cost data preparing,
- (c) Preparation of debit vouchers when required
- (d) Making of payments to the workmen when required.
- (e) Other miscellaneous jobs as assigned by the superiors.

The management did not issue any written order to the concerned workman spelling out his duty. From the evidence on record it is abundantly clear that preparation of L.T.C. bills did not fall normally within the area of duties of the concerned workman. But checking of L.T.C. bills and preparation of debit vouchers and making payments to the workers, when required fell within the duty roster of the concerned workman. I will now consider the charges brought

against the concerned workman one by one and the evidence to record in support of charges and contra.

11. Of the eleven counts of charges the Enquiry Officer exonerated the concerned workman of two counts of charge, and, in my view, rightly. He has, however, found him guilty to the charge of misconduct of theft, fraud and dishonesty in connection with company's business or property in respect of the remaining counts of charges.

The first count of such charge is reproduced herebelow : (Ext.M-1)

"You prepared a bill towards the payment of L.T.C. for a sum of Rs. 1,34,560.00 as advance payment mentioning 80 persons were entitled to receive 1st Class and 12 persons to receive 2nd Class fare amounting @ Rs. 1,625.00 and Rs. 380.00 respectively. On actual checking it revealed that 75 persons were to receive 1st Class fare amount @ Rs. 1,625.00 each and 17 persons were to receive 2nd Class fare amount @ Rs. 380.00 each. The excess amount Rs. 6,225.00 arising out of this calculation was drawn by Sri Sudhanshu Bhattacharjee, the Pay Clerk, with your connivance. The said amount was misappropriated by Shri Sudhanshu Bhattacharjee. Your above acts caused the company to suffer a loss of Rs. 6,225.00.

The Enquiry Officer has held that despite the fact that the concerned workman denied to have prepared the bill, the fact remained that the bill was prepared by him and totalling of amount was done by him which was found to be incorrect. The bill in question was not produced before the Enquiry Officer in domestic enquiry. The concerned workman admitted that he simply totalled the bill which was incorrect. In the chargesheet it has been alleged that the excess amount of Rs. 6,225 arising out of calculation was drawn by Sudhanshu Bhattacharjee, Pay Clerk, with the connivance of the concerned workman. There is no evidence on record to indicate that the concerned workman connived with Shri Bhattacharjee in withdrawing the amount. It appears that Shri Bhattacharjee has since been dismissed from service. This being the position, the fact remains that the concerned workman committed a mistake in totalling the amount of bill. Hence, the finding of the Enquiry Officer in holding the concerned workman guilty of the misconduct of theft, fraud or dishonesty in connection with company's property is not sustainable.

The next count of charge is as follows :

That Shri Khalil Khan, Prop Mazdoor retired from service on 9-4-1981 and you checked and passed his final dues. The Bill Clerk billed Rs. 1,440.00 as L.T.C. advance for leave for 20 days from 11-4-1981. You checked and passed the payment although the worker was not on roll on 9-4-1981.

Your above acts caused the company to suffer a loss of Rs. 1,440.00."

It appears that debit vouchers for the bills was prepared by the concerned workman. He has admitted that he prepared the debit voucher without looking through the relevant papers. He has further stated that Khalil Khan's gratuity bill was prepared by him on 6-7-81 and the L.T.C. bill was prepared on 18-4-81. He was not in a position to

say if retirement notice of Khalil Khan was reached him or not. It was the duty of the management to prove that despite his having knowledge of Khalil Khan's date of retirement, the concerned workman prepared the bill deliberately. But this has not been established. But even then it is another mistake committed by the concerned workman.

The next count of charge is as follows :

"That Sri Basdeo Bhuia and 3 others as per annexure No. I did not avail leave on dates recorded in the L.T.C. payment register. But you checked and passed the bills although they were not entitled for the same. You thereby caused the company to suffer a loss of Rs. 4,917.50."

It appears from the statement of the concerned workman, not disputed by the management, that the bill was prepared by the Bill Clerk but he prepared the debit voucher without ascertaining whether the bill has been checked or not. This is an instance of carelessness and mistake on the part of the concerned workman. Even so, the management may recover the amount from the persons concerned.

Next count of charge is as follows .

"That you billed Rs. 1,625.00 towards L.T.C. advance in favour of Shri Bansi Kurmi, Loader, for his alleged leave for 35 days from 25-5-1981.

The scrutiny of records showed that there is no worker of this name.

That you made the bill and you yourself checked and passed the bill and the Pay Clerk has withdrawn the same. Your above acts caused the Company to suffer a loss of Rs. 1,625.00."

It appears from the statement of the concerned workman, not disputed by the management, that although the bill was prepared by him in the name of Bansi Kurmi, a wrong name, but the payment was made to the right person Banarasi Kurmi and the company has not suffered any loss on this score.

Next count of charge is as follows :

"That you billed Rs. 380.00 as L.T.C. advance in favour of Shri Harilal Rabidas, Stowing Mazdoor, for his alleged leave for 18 days from 15-6-1981 though there was no such worker on Company's roll.

That you yourself made the bill, checked and passed the amount was withdrawn by the Pay Clerk. Your above acts caused the Company to suffer a loss of Rs. 380.00."

The concerned workman has denied to have prepared any bill in favour of Harilal Rabidas. The management has not produced the bill to show that it was prepared by him. It appears from the evidence of Md. Kamaruddin that normally it was the duty of the Bill Clerk to prepare the bill.

Nevertheless the fact remains that the concerned workman has prepared the debit voucher without

ascertaining whether the bill has been checked by someone or not. It has been alleged in the charge-sheet that the Pay Clerk withdrew the amount. There is no allegation against the concerned workman of his having connived with the Pay Clerk in withdrawing the amount. This is another instance of carelessness on the part of the concerned workman.

The next count of charge is as follows :

"That as a checking clerk you know that minimum earned leave to admit L.T.C. payment is for 7 days and this is not admitted against any other leave. In spite of this you allowed the billing of L.T.C. against 2 days casual leave in favour of Shri A. K. Chakraborty. You admitted the L.T.C. advance of Rs. 1,625.00 as against 2 days casual leave and passed this for payment.

Your above acts caused the Company to suffer a loss of Rs. 1,625.00."

The concerned workman has asserted that he prepared the bill in respect of A. K. Chakraborty on the basis of 8 days leave applied for by him and in the relevant column of register of L.T.C. he noted 8 days leave but that was scored and replaced by two days casual leave by some one. In the circumstances, I think that the Enquiry Officer was duty bound to make a comparison of handwriting of the concerned workman with the impugned handwriting. The management could have varily ascertained that whether Sri Chakraborty applied for 8 days leave or not, but that has not been done. This being the position, I am constrained to state that the charge against the concerned workman on this count must founder on the ground.

The next count of charge is re-produced herein-below :

"That the billing clerk bill Rs. 227.50 as 1st Class fare in favour of Shri Dudhnath Gwala, Surface Trammer, for his leave from 22-6-1981. You failed to indicate in the payment register how this payment was billed. This worker had no leave in this period.

You failed to disallow one of the payment of Rs. 227.50 twice billed at P. No. 56 of the payment register at Sl. No. 20 and 23 on the date of passing the voucher on 24-8-1981.

You further failed to disallow the L.T.C. payment to this worker as this worker had availed return rail fare payment during leave from 12-1-1981 to 14-1-1981.

All these irregularities clearly shows that you were negligent in your duties and you connived with others in causing loss to company."

The concerned workman stated in the domestic enquiry that the bill was prepared in favour of Dudhnath Gwala by the Bill Clerk. Bill Clerk prepared the bill in favour of Dudhnath Gwala twice and he prepared the voucher without checking the bill.

But from the record it was clear that only one payment was made and another payment was credited on 29-8-91. He stated that this aspect of the matter should have been checked by the Bill Clerk with reference to the leave and when he has already availed of train fare in the month of January, 1981 he should not have been allowed L.T.C. Thus, it is seen that it is presumably the duty of the Bill Clerk to see if Dudhnath Gowala was paid L.T.C. bill twice or not. The concerned workman has stated in his reply that he had no authority to disallow L.T.C. payment. That being so, the charge levelled against the concerned workman on his count must founder on the ground.

The next count of charge is re-produced herein-below :

"That you have admitted and paid half rail fare for children aged 5 years and below and also admitted and paid full fare children above 5 years and below 12 years although they are not entitled to get fare for full ticket. The details of these payments are shown in annexure-II. This has resulted in an excess payment of Rs. 3,296.35 You know fully well that a child below five years is not required to purchase a ticket and a child below 12 years is required to purchase half ticket only."

In his statement before the Enquiry Officer the concerned workman admitted to have committed mistake. But in his reply to the charge-sheet he took a definite stand that it was not his duty to check as to who was entitled to half fare or is entitled full fare or the same has been mentioned correctly or not. According to him, this aspect of the bill should have been checked by the Bill Clerk. The charge also does not specify in what process the concerned workman allowed half fare or full fare to the claimants. The evidence on this score remaining ambiguous I am constrained to state that the charge has not been properly established.

The next count of charge is as follows :

"That Shri Kailash Prasad billed D.T.C. payment in favour of Shri Bulla Sekh and two others as passed in Annexure-III without mentioning their period of leave. As a checking Clerk your prime duty was to check whether leave was granted to admit L.T.C. payment. You passed the payment without verifying the details of leave period.

Regarding Shri Rajendra Dubey, Leader, he was not on colliery roll beyond 7-4-1981.

Your above acts caused the Company to suffer a loss of Rs. 3,282.00.

Your above intentional wilful acts and omissions constitute misconduct of fraud and dishonesty and you are hereby charged under clause 27(2) of the certified standing orders which read as follows :

"Theft, fraud or dishonesty in concerned with the company's business or property."

It is alleged in the chargesheet that Kailash Prasad billed L.T.C. bill in favour of Bulla Sekh and two others without mentioning their period of leave and that as checking clerk it was the duty of the concerned workman to check whether the leave was granted to admit L.T.C. payment. During the domestic enquiry the concerned workmen did not state anything and relied on the statement as made out in the reply to the charge-sheet. In reply to the charge-sheet he stated that it was not required to check and verify the details of leave from different register and to check and verify whether leave was granted or not. He was also not required to see if a particular workman was on the roll of the company or not. By way of explanation he has stated that if he was required to check every detail of bill before final payment was made, it will take hours together to dispose of an individual cases. In my view, the explanation provided by the concerned workman in his reply to the charge-sheet is sensible, plausible and well merited. Every individual clerk has his area of operation and he should be answerable for any lapse in performance of his duties falling within his area of operation. It would be an onerous job for Accounts Assistant as the concerned workman was if he was to check and verify every aspect of the bill for which different clerks were assigned different duties. Besides, it cannot escape my attention that the higher echelons of the colliery including the Agent cannot avoid their responsibilities by pleading their Innocence in the matter. As a responsible officer it is expected of them to check and verify some bills at random and not to sign payment orders for the bills on the dotted lines.

11. Upon consideration of evidence on record, I come to the conclusion that the concerned workman was not guilty of theft, fraud or dishonesty in connection with company's business or property. There is no evidence on record to show that he did anything with intention of causing wrongful gain to himself or wrongful loss to this employer. There is also no evidence on record that he had intention to deceive his employer. But nevertheless the fact remains that he committed some mistakes and carelessness which he should have avoided.

12. The sponsoring union has claimed reinstatement of the concerned workman in service. From my discussion above it is evident that the punishment of dismissal from service awarded to the concerned workman must be set aside. But the question remains if the concerned workman should be reinstated in service with full back wages. The effect of reinstatement is to restore an employee to his former capacity, status, emoluments and continuity of service, as if his services had never been terminated. In the absence of cogent reason to the contrary, he is entitled to compensation which should normally be equal to full wage. In the present case since the concerned workman committed mistake and carelessness, he is not entitled to full wages for the period he remained dismissed from service. In my view end of justice will be met if he is allowed 50% of his back wages from the date of his dismissal from service till he is reinstated.

13. Accordingly, the following award is rendered—the action of the management of Lodan Area No. X

of M/s. B.C.C. Ltd. in dismissing Shri D.K. Sarkar, Accounts Assistant, with effect from 18/9-1989 is not justified. The order of dismissal is hereby set aside and the management is directed to reinstate the concerned workman in service with effect from the date of his dismissal and pay him 50% of his back wages from the date of his dismissal from service till he is reinstated. The management is further directed to re-instate him in service within one month from the date of publication of the award and the concerned workman is directed to report for duty within the period specified.

In the circumstances of the case I award no cost.

S. K. MITRA, Presiding Officer

नई दिल्ली, 14 जुलाई, 1992

का.आ. 2067.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स बी. सी. सी. एल. का नोर्थ तीसरा कोलियरी के प्रवर्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-7-92 को प्राप्त हुआ था।

[संख्या एल-20012/200/81—डी-3(ए) आई/आर(कोल-I)/
एल-20012/241/81—डी-3(ए)/आई.आर. (कोल-I)]
बी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 14th July, 1992

S.O. 2067.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the Mgt. of North Tisra Colly. of M/s. B.C.C.L. and their workmen, which was received by the Central Government on the 8-7-92.

[No L-20012/2008/81-D-III(A)|IR(C.I.)
L-20012/241/81-D-III(A)|IR(C.I.)

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of industrial disputes under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 72 of 1981

(Ministry's Order No. L-20012/200/81-D. III. A dated 15-10-1981).

PARTIES :

Employers in relation to the management of North Tisra Colliery of M/s. Bharat Coking Coal Ltd., P.O. Khasjeenagora, Dist. Dhanbad and their workmen.

Reference No. 77 of 1981

(Ministry's Order No. L-20012(241)|81-D. III. A dated the 13th November, 1981).

PARTIES :

Employers in relation to the management of Area No. X of Messrs. Bharat Coking Coal Limited, Post Office Jeenagora, Dist. Dhanbad and their workmen.

APPEARANCES :

On behalf of the workmen—Shri S. Bose,
Secretary,
R.C.M.S. Dhanbad.

On behalf of the employers—Shri B. Joshi,
Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 29th June, 1992

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following disputes to this Tribunal for adjudication vide their order referred to above.

THE SCHEDULE IN REF. NO. 72/81

"Whether the demand of the workmen of North Tisra Colliery of Messrs. Bharat Coking Coal Limited, Post Office Khasjeenagora, Dist. Dhanbad that the management should treat Sarvashri Sadhu Bhuiya, Krishna Singh, Bishun Singh, Narain, Tejnarain Singh, Jagdish, Bhuiya, Kanai, Fulena Singh, Dinesh Singh and Kameshwar, Clay Cartridge Mazdoors as their workmen and they should be paid Category-I wages is justified? If so, to what relief are the concerned workmen entitled?"

THE SCHEDULE IN REF. NO. 77 OF 1981

"Whether the demand of the workmen of North Tisra Colliery, South Tisra Colliery and Jeenagora Colliery of Area No. X of Messrs. Bharat Coking Coal Limited, Dhanbad that the management should treat the workmen (mentioned in the annexure below who are Clay Cartridge Mazdoors, as their workmen and they should be paid Category-I wages is justified? If so, to what relief are the said workmen entitled and from what date?"

ANNEXURE

JEENAGORA COLLIERY

1. Shri Amulya Bouri.
2. Habu Bouri.
3. Dashi Bourin.
4. Ram Niwas.
5. Rakesh Bahadur.
6. Malkhan Singh.
7. Nand Kishore.
8. Ajeet Pratap.
9. Binode Kumar.
10. Ramdin.

11. Bhuneshwar Singh.
12. Nanki Bourin.
13. Rabindra Prasad.
14. Arvind Mondal.

SOUTH TISRA COLLIERY

1. Anwarul Khan.
2. Nanhe Tewari.
3. Uma Nath Pandey.
4. Sanjay Kumar Singh.
5. Pramode Kumar Singh
6. Ramraj Singh.
7. Suryug Mondal.
8. Raghubansh.
9. Kameshwar Prasad.
10. Girish Kumar.
11. Md. Illiyus.
12. Bilukanand Rai.
13. Sunil Kr. Rai.
14. Badri Tewari.
15. Parmanand.

NORTH TISRA COLLIERY

1. Jagdish Bhuia.
2. Binode Singh.
3. Shyam Sundar Mahato.
4. Basdeo Bhuia.
5. Rajender Singh.

2. Both the references have been heard together and disposed off by this common award. Under Ref. No. 72/81 there are 10 concerned workman including Sadhu Bhuia and Jagdish Bhuia of North Tisra colliery and have prayed regularisation as clay cartridge mazdoor demanding wages of Cat. I mazdoor. In Ref. No. 77/81 there are 3 collieries namely Jeenagora colliery, South Tisra colliery and North Tisra colliery. In Jeenagora Colliery there are 14 concerned workmen including Amulya Bouri. In South Tisra colliery they are 15 in number. In North Tisra there are 5 concerned workmen including Jagdish Bhuia. In this way I find that the name of Jagdish Bhuia appeared twice in both the Reference. Even under the Ref. 77/81 the claims of the concerned are similar to that of Ref. No. 72/81 and hence both the references have been heard and disposed off together by this common award.

3. The common claims of the concerned workmen in both reference are that they are permanent employees of BCCL engaged in respective collieries in preparing clay cartridges which are used for blasting in coal seams for production of coal. They claim to be the permanent employees of the BCCL of the respective colliery and they have been working within the premises of the colliery itself and the necessary materials are supplied by the management during the working hour under the supervision of the management. It was stated that the management has been continuing to pay them on piece rated basis denying all the benefits of permanent employee although they have been performing duties of permanent nature and are entitled to receive time rated wages and other benefits. The workmen have been agitating their issue before the management but they could not receive any just and reasonable fitment and thus have failed to receive any justice. The union represented the matter before the ALC(C) Dhanbad which ultimately ended in failure. Thus the workmen have demanded that

the management should treat them as permanent employees of the concerned collieries and pay them time rated wages in Cat. I along with other benefits. They have also prayed for the cost of the proceeding.

4. The management has resisted the claim of the concerned workmen and denied any relationship of employer and employee between the concerned workmen and the management. Admittedly Sadhu Bhuia and Jagdish Bhuia of North Tisra colliery have been supplying clay cartridges after 1976. As regards other concerned workmen the management has failed to recognise them and they were not the workmen of the colliery. It is stated that the management paid money to Sadhu Bhuia and Jagdish Bhuia from whom clay cartridges were purchased. As none of these concerned persons were the employees of the management, the question of their regularisation does not arise at all. As regards Sadhu Bhuia and Jagdish Bhuia the management has to say that the relationship is that of the seller and purchaser.

5. The management of Jeenagora Colliery has been purchasing clay cartridges from Amulya Bouri only from 7-4-77 and those purchases were made as per the demand from time to time and the rest of the persons of the respective collieries are not concerned at all. As regards Amulya Bouri it is said that he is preparing clay cartridges at his home with the help of the family members and so he cannot be said to be the workmen of the management. The persons named under South Tisra colliery are not known to the management and none of them have ever manufactured supplied or sold clay cartridges to the managing North Tisra Colliery, one Jagdish Bhuia has been selling clay cartridges to the management of North Tisra Colliery since 1975 and the rest of the persons in the list are not concerned. In this way it has been urged that no relationship of employer and employee ever existed between the management and the concerned workmen and so there was no question of regularisation of their services.

6. On the basis of the pleadings of the parties the main point for consideration would be as to whether the concerned workmen can be treated as clay cartridge mazdoors of the management and if so whether they are entitled for wages of Cat. I Mazdoor.

7. The concerned workmen of all the respective collieries claim to be the permanent employees of BCCL and they further claim to have been preparing clay cartridges which are used by the management for blasting purpose. In this context first of all we will examine the feasibility as to how an individual can be in a position not being an employee of the colliery, to supply clay cartridges @ 1000 per day. Amulya Bouri WW-1 has stated that he is in a position to prepare clay cartridges at least 1000 per day per head. This means a man can prepare 1000 clay cartridges per day for its supply to the management. As per evidence size of the clay cartridges is 6" long with 1" diameter. A piece of clay cartridges has also been proved as material Ext. 1. Now the crux of the question is as to how an individual can be a regular supplier of 1000 clay cartridges per day. It will require at least several baskets of clay of every day. Had this been a business of a few days only that could have been arranged by digging up mud

from the land of others or from own land. It can be well imagined that regular excavation of earth from a piece of land will convert the land into a big tank only within a few months. It is not possible that a land owner will allow anybody to take out earth from his land continuously for month together. This means a supplier of clay cartridges will be required to dig his own land converting it into a tank in no time and for no benefit. There is evidence that Amulya Bouri has been supplying clay cartridges everyday and getting Rs. 200/- per month. The question is as to who will be the fool on this earth to spoil the fertility of land for no gains. This lone circumstance appears to be un rebuttable in nature and is suggestive of the fact that the clay cartridges makers, whosoever he may be has been using the land of the colliery and within the premises of the colliery itself. The natural consequence will follow that the management will supply the required material inclusive of water to accomplish the job. So I am to hold that the preparation of clay cartridges at home by the suppliers is not possible at all. In other words the supplier or the workmen have been preparing clay cartridges at the land of the management and that too with the help of the management. From these facts it also becomes evident that the work of the clay cartridges maker will be supervised by the authorities concerned of the collieries. This means that there was control and supervision of the management.

8. Now next important question for consideration is whether the concerned workmen ever prepared clay cartridges for its use by the management. In view of the discussions made above relationship of buyer and supplier as stated by the management and also deposed to by MW-1 cannot be accepted to be a true version. Three witnesses have been examined on behalf of the concerned workmen and they have come to say that they have been preparing cartridges over the lands of the respective collieries and that all the materials needed for accomplishment to the work were supplied by the management. They stated that clay cartridges were dried in the sun rays and in absence of the sun rays it is dried in coal fire which is supplied by the management of BCCL. This also may be a circumstance to show that clay cartridges were prepared under the control and supervision of the management for an individual clay cartridges maker can not be in a position to dry the bulk of cartridges at his home in rainy and winter season.

9. WW-1 Shri Narayan stated that working implements are also supplied by the management. He stated further that in nearby collieries such employees have been regularised as Cat. I mazdoor. The question is whether these concerned workmen ever prepared by clay cartridges or not. Admittedly, they do not possess any paper to prove this fact. Their names do not appear in any paper of the management to prove that they were ever engaged to prepare clay cartridges. The witness further stated that the concerned workmen have no paper to show that they are paid according to their work. According to him Sadhu Bhuia is the gang leader and bills are prepared in his name. The witness also stated that they were never in the possession of any appointment letter, identity card or the pay slip. The amount of the bill is also re-

ceived by the gang leader. Lastly the witness stated that he does not possess any paper to show that he had prepared clay cartridges.

10. One Amulya Bouri has been examined as WW-1 in Ref. No. 77/81. Admittedly the management of Jeenagora colliery has been purchasing clay cartridges from Amulya Bouri since 1977. The management has denied to recognise other concerned workmen of Jeenagora colliery. The management stated that Amulya Bouri had been preparing clay cartridges at his house but this aspect of the contention for the reasons stated above has already been disbelieved. Thus it is clear at least in case of Amulya Bouri that he has been preparing clay cartridges to be used by the management. Ext. M-3 is the register showing preparation of bills in the name of Amulya Bouri.

11. WW-2 Shri Ram Raj Singh has stated and supported the version of the concerned workman. He himself claims to be one of the concerned workman in South Tisra colliery. He stated that one Shri Pramod Kumar Singh is gang leader and bills are prepared in his name. He also stated that their wages are distributed by the cashier of the management. However we have no documents to support this fact. There is no paper to suggest that Shri Pramod Kumar Singh ever acted as gang leader and any bill was prepared in his name. The witness further stated that they received money but in token of the receipt of the money they do not put their signature of LTI on any paper. He admitted that the concerned workmen do not possess any paper to show that they ever received any payment from the management. In nutshell it can be said that these concerned workmen have no document worth the name even to suggest that they have been preparing cartridges and supplying it to the management and getting payment from the management. Really in absence of any paper it is difficult to say that the concerned workmen were engaged in making clay cartridges. Without any paper 100 and 1000 of the villagers will be pouring in and claiming employment under the management of BCCL. No doubt since after the introduction of the blasting method the clay cartridges for the purpose of raising coal from the mine has become one of the essential commodities but there must be even the ray of documentary evidence to suggest that the concerned workmen somehow or rather were engaged in preparing clay cartridges. Finally it can be said that there is no chit of paper in possession of the concerned workmen save and except a few in whose names bills have been prepared and wages paid.

12. Now let us have a glance over the witnesses of the management. MW-1 Shri A. K. Gupta has stated that Shri Joyram Yadav, Ram Bhaju Singh and Suresh Bhuia had supplied clay cartridges to the management. I find that these three persons are not the concerned workmen. Regarding the concerned workmen of South Tisra colliery the witness who is also the Manager of South Tisra colliery has refused to recognise them. According to him there was no 4th man except the above 3 who supplied clay cartridges to the management. He has proved the payment registers of the said 3 persons (M-1).

13. MW-2 is senior under Manager of North Tisra colliery. According to him one Ram Swarup Paswan and few others supplied clay cartridges and the management regularised 8 persons in all. The witness further stated that in North Tisra colliery, Jagdish Bhuia and Sadhu Bhuia also supplied clay cartridges for sometimes during 1982-83 when the regular employees had stopped their work on account of their certain grievances. It is noted that these 2 persons are concerned workmen of North Tisra Colliery. Ext. M-2 series are payment vouchers showing payment to Amulya Bouri, Jagdish Bhuia and Sadhu Bhuia and Ram Swarup Paswan. The names of any other concerned workmen did not appear in the voucher. At least the persons shown in the voucher can be said to have been involved in one way or other in making clay cartridges.

14. MW-3 Shri Amalendu Saha is Safety Officer in Jeenagora Colliery. He has named Amulya Bouri and Atul Mahato who had been supplying clay cartridges to the management. It be noted hat Atual Mahato is not the concerned workman. As regards Amulya Bouri the witness stated that since after 1991 Shri Amulya Bouri has been preparing clay cartridges over the land of Jeenagora Colliery and supplying it to the management. Three registers of the clay cartridges of Jeenagora colliery are Ext. M-3 to M-3|2.

15. From the facts noted above it is crystal clear that three concerned workmen namely Amulya Bouri of Jeenagora colliery and Shri Jagdish Bhuia and Shri Sadhu Bhuia of North Tisra colliery are the persons who admittedly had been preparing and supplying clay cartridges to the management. Their names also figure in the different registers and in payment voucher. Regarding the others there is no trace and so I am not inclined to grant any relief to these concerned workmen save and except three as named above. The management is thus directed to regularise Shri Amulya Bouri, Shri Jagdish Bhuia and Sadhu Bhuia only 3 concerned workmen within one month from the date of the publication of the Award and also to pay them time rated wages of Cat I Mazdoor along with other benefits. Other concerned workmen are not entitled to any relief. There will be no order as to costs.

B. RAM, Presiding Officer

नई दिल्ली, 8 जुलाई, 1992

का.प्र. 2068—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल बैंक फार एग्रीकल्चर एण्ड रूरल डिवलपमेन्ट के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में गिद्धिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रम न्यायालय, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-7-92 को प्राप्त हुआ था।

[संख्या एल-12011/38/88-आई.प्रार. (बैंक I)]

सुभाष चन्द्र शर्मा, डेस्क अधिकारी

New Delhi, the 8th July, 1992

S.O. 2068—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Cum-Labour-Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Bank for Agriculture and Rural Development and their workmen which was received by the Central Government on the 7-7-92

[No. L-12011/38/88-IR(Bank-I)]

S. C. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR-COURT PANDU NAGAR, PANPUR.

Industrial Dispute No. 160/89

In the matter of dispute between :

Sri Kamruddin
C/o Sh M Shakeel
1 Abdul Aziz Marg
Lucknow

AND

The General Manager
NABARD
11 Mahatma Gandhi Marg
Lucknow

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/38/88-I.R. (Bank-1) dated 17-7-89, has referred the following dispute, for adjudication to this Tribunal :—

“Whether the General Manager National Bank for Agriculture and Rural Development, Lucknow, was justified in terminating the services of Sri Kamruddin w.e.f. 14-5-85 in violation of section 25F, G & H of the I.D. Act, 1947? If not, to what relief the workman was entitled ?

2. In the instant case 1-4-92 was fixed for filing of the affidavit evidence from the side of the workmen. On 1-4-92 none appeared from the side of the workman whereas Sri Rakesh Mehrotra appeared for the management. Sri M. Shakeel moved an application for adjournment in the case but since his appearance had been debarred vide order dt. 5-6-91 by the Tribunal as such the application was given no cognizance.

3. In the above circumstances and also for the reason that none appeared from the side of the workman in the case, to me it appears that the workman is not interested in prosecuting his case. Therefore a no claim award is given in the case.

4 Let six copies of this award be sent to the Government for its publication.

ARJAN DEV, Presiding Officer

नई दिल्ली, 13 जुलाई, 1992

का.आ. 2069.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार असिस्टेंट इंजीनियर माइक्रोवेव मेंटेनेन्स (आई), पनजी के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-7-92 को प्राप्त हुआ था।

[एल-40012/46/91-आई.आर. (डी.यू.) (भाग)
के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 13rd July, 1992

S.O. 2069.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Asstt. Engineer Microwave Maintenance (I) Panaji and their workmen, which was received by the Central Government on 6-7-92.

[No. L-40012/46/91-IR(DU)(Pt.)]
K. V. B. UNNY, Desk Officer
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR-COURT.
BANGALORE

Dated, this the 16th day of April 1992

PRESENT :

Shri M. B. Vishwanath,
B. Sc., LL. B.,
Presiding Officer.

CENTRAL REFERENCE NO. 62/91

I PARTY

Sri Dilip L. Moraskar,
near Dy. S. P. Office,
Lamana Chowk,
Old Dandeli-581 325.

V.S.

II PARTY

The Asst. Engineer,
Microwave Maintenance Station (T),
Altinho, Panaji
GOA-403 001

AWARD

In this reference No. L-40012/46/91-IR(DU) dt. 27-9-1991 made by the Hon'ble Central Government in exercise of the powers conferred by clause (d) of Sub-Section (1) and sub-section (2A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the point for adjudication as per schedule to reference is :—

"Whether the Asst. Engineer Microwave Maintenance (I) Altinho, Panaji is justified in

terminating the services of Sri Dilip L. Moraskar w.c.f. 1-2-85? If not, what relief he is entitled to?"

2. The I party has filed his claim statement.

3. Notice of this reference was sent to the II party in the usual course. The II party was not represented. The II party did not appear before the Tribunal.

4. By way of abundant precaution, this Tribunal sent notice to the II party by registered post. It is clear from the records that the notice sent by registered post has been served on the II party. The II party, as is clear from the order sheet dt. 14-1-92, has sent a telegram, praying for time. After this, case was adjourned two times to enable the II party file the counter statement. Even so, the II party has not filed the counter statement and has not engaged anybody to represent the II party. Thereupon the case was posted for I party's evidence.

5. As per the claim statement, the case of the I party is that he joined the service of the II party on 1-11-1980 as casual mazdoor. The work of the I party workman was maintenance and road construction. I party was working in Sangreli Microwave station. The II party was paying monthly salary to I party. The salary was calculated and paid each month. The I party worked till 31-1-1985. The I party worked continuously for 1553 days. The II party did not allotted the work to the I party from 31-1-1985. The II party did not give any prior notice to I party. The II party has not paid any compensation. The I party made representatives, but the II party has not replied to the representations. The II party has continued the services of those who were junior to the I party. The II party has illegally terminated the services of the I party as a casual labourer. The II party has illegally failed to regularise the I party as a casual labour.

6. As has already been stated, the II party has not filed the counter statement.

7. On behalf of the I party, he has got himself examined.

8. The I party has stated in his evidence that he joined the services of the II party on 1-11-1980 as a casual mazdoor. He has stated that his duty was maintenance and road construction. He has stated that he worked in Sangreli Microwave station. I party has stated in his evidence that he was paid salary each month. He has stated that he worked under II party till 31-1-1985. The I party has stated that he has worked in all for 1553 days continuously.

9. The I party has produced Ex. W.1 which is the authenticated copy of muster roll, this bears the seal of the Department and the II party. The muster roll Ex. W.1 bears the stamp of truth. It is abundantly clear from Ex. W.1 that the I party workman worked totally for 1553 days continuously. The I party has stated that the II party did not allot him work from 31-1-1985. The II party did not give any prior notice to I party before refusing to allot work. The II party has not paid any compensation to I party.

10. The I party workman has stated in his evidence that he made representations as per Exs. W.2 to 4, but there was no reply. The I party workman has produced Ex. W. 5, zerox copy. Ex. W. 5 clearly shows that S.D.O. Telegraphs (Divisional Engineer) gave a letter as per Ex. W. 5. Ex. W. 5 shows that the I party workman had worked continuously from 1-11-80 to 31-1-1985. Ex. W. 5 further shows that the Superior Officer (S.D.O.) directed the II party to absorb him in the Division of the II party. It obvious that the II party has not followed the directions given in Ex. W. 5.

11. Ex. W. 6 is the gradation list of casual labourers. Ex. W. 6 clearly shows that the I party workman was numbered 2 in the seniority list of casual labourers. The remarks column in Ex. W. 6 further shows that the juniors at SI Nos. 3 and 4 have been regularised, overlooking the claims of the I party workman.

12. I have extracted above the evidence of the I party workman. He has produced documents to support his case. The evidence of I party workman is unchallenged. It is clear that the I party workman has worked for more than a year continuously as defined under Sec. 25 B of the I.D. Act. Sec. 25 F says that a workman, who has been in continuous service for more than a year, cannot be retrenched unless (a) he has been given one month's notice in writing with reasons for retrenchment (b) the workman has been aid compensation at the time of retrenchment (c) that the notice issued to the workman has been served on the appropriate Government.

13. In the instant reference the action of the II party clearly amounts to retrenchment. None of the conditions contemplated under Section 25 F has been complied with. So the termination of the services of I party is illegal and has to be set aside.

14. The I party workman has stated in his evidence that II party was paying Rs. 450/- per month as wages. Since the termination of the services of the I party workman is illegal, he is entitled to full back wages.

AWARD

It is hereby declared that the termination of the services of the I party workmen (Mazdoor) is illegal. The II party as directed to reinstate the I party with immediate effect and restore his seniority. The II party is directed to regularise the services of the I party workman.

The II party is directed to pay back wages w.e.f. 1-2-1985 at the rate of Rs. 450/- per month.

Reference accepted and award passed as stated herein.

Submit to Government.

(Dictated to Stenographer, taken down by him, not typed, corrected and signed by me)

M. B. VISHWANATH, Presiding Officer

नई दिल्ली, 13 जुलाई, 1992

का. मा. 2070.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. नांगल टाउनशिप के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-7-92 को प्राप्त हुआ था।

[सं. एन.—42012/152/86-डी-2(बी) (भाग)]

क. बी. बी. उष्णी, डेस्क अधिकारी

New Delhi, the 13th July, 1992

S.O. 2070.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.B.M.B. Nangal Township and their workmen, which was received by the Central Government on 6-7-1992.

[No. L-42012/152/86-D.II(B) (Pt.)]

K. V. B. UNNY, Desk Officer.

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 94/87

Ram Lal Vs. B.B.M.B.

For the Workman.—Shri Dhani Ram.

For the Management.—Shri D. L. Sharma.

AWARD :

Central Government vide gazette notification No. L-42012/152/86-D.II(B) dated 20th October 1987 issued U/S 10(1)(d) of the I.D. Act 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Chief Engineer (Generation) BBMB Nangal Township in terminating Shri Ram Lal Son of Shri Sukh Ram carpenter from service with effect from 19-6-86 is legal and justified? If not, to what relief the concerned workman is entitled?"

2. During the course of the proceedings the petitioner has moved an application Ex. XI and prayed for the withdrawal of the present reference and non-claiming of any backwages and seniority. In support of this application he has made a statement that he has given employment as carpenter which is regular in nature and better employment w.e.f. 10-9-91 and support the application Ex. XI and prayed for the no dispute Award. In view of the statement made by the petitioner that he has been given regular and

better employment w.e.f. 10-9-91 and further in view of his application Ex. XI the present reference is returned to the Ministry.

Chandigarh.

Camp at S. Nagar.

5-6-92.

ARVIND KUMAR, Presiding Officer.

नई दिल्ली, 13 जुलाई, 1992

का. आ. 2071—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. स्लैपर डिवीजन के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-7-92 को प्राप्त हुआ था।

[सं.एल.—42012/197/90—आई.आर. (डी.यू.) (भाग)]

के. वी. बी. उष्णी, डेस्क अधिकारी

New Delhi, the 13th July, 1992

S.O. 2071.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.B.M.B. Slapper Divn. and their workmen, which was received by the Central Government on 6-7-92.

[No. L-42012/197/90-IR(DU) (Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 171/91

Devi Ram Vs. Bhakra Beas Management Board.

For the Workman.—Shri Dhani Ram.

For the Management.—Shri D. L. Sharma.

AWARD :

Central Government vide gazette notification No. L-42012/197/90-IR(DU) dated 13th of June 1991 issued U/S 10(1)(d) of the I.D. Act 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Executive Engineer, BBMB Slapper Division Slapper (H.P.) in striking off the name of Shri Devi Ram son of Shri Dhuru Ram from Muster rolls w.e.f. 1-4-90 is justified? If not, what relief the workman concerned is entitled to?”

2. During the course of proceedings at the stage of management's evidence the present case has been

settled by the parties. Mr. S. S. Bedi Executive Engineer has made a statement that the petitioner will be given continuity of service as daily wage as mason grade II w.e.f. 17-2-89 i.e. initial date of appointment up to 20-11-1990 since he has already been re-employed w.e.f. 21-11-1990 as mason grade II. Further he will not be entitled to any other benefit except seniority.

Rep. of the workman Shri Dhani Ram has accepted the terms of the offer made by the management and has stated that no dispute award may be returned to the Ministry.

In view of the statement made by the respective parties no dispute award is returned to the Ministry in view of the terms offered by the management and accepted by the workman.

Chandigarh,

9-6-92.

ARVIND KUMAR, Presiding Officer.

नई दिल्ली, 13 जुलाई, 1992

का. आ. 2072.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-7-92 को प्राप्त हुआ था।

[सं.एल.—42011/200/90—आई.आर. (डी.यू.) (भाग)]

के. वी. बी. उष्णी, डेस्क अधिकारी

New Delhi, the 13th July, 1992

S.O. 2072.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.B.M.B. and their workmen, which was received by the Central Government on 6-7-92.

[No. L-42011/200/90-IR(DU) (Pt.)]

K. V. B. UNNY, Desk Officer.

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 110/91.

Paras Ram Vs. BBMB.

For the Workman.—Shri Dhani Ram.

For the Management.—Shri D. L. Sharma.

AWARD :

Central Government vide gazette notification No. L-42011/200/90-IR(DU) dated 12th August 1991 issued U/S 10(1)(d) of the I.D. Act 1947 referred

the following dispute to this Tribunal for adjudication :

“Whether the action of the management of DPH (Power Wing) BBMB Division Slapper District Mandi in ignoring the alleged claim of Shri Paras Ram son of Shri Chu to the post of chowkidar in the pay scale of Rs. 750—1350 w.e.f. November 1989 is justified? If not, what relief the workman is entitled to and from what date?”

2. During the course of the proceedings the petitioner has filed an affidavit and in support of it has made statement that he has been given better employment since 22-11-1991 for which he is still continuing and not interested in pursuing this reference and requested to pass a no dispute Award. In view of the affidavit and statement made by the workman the present reference is returned to the Ministry.

Chandigarh.

Camp at Pandoh.
6-6-92.

ARVIND KUMAR, Presiding Officer.

नई दिल्ली, 13 जुलाई, 1992

का.आ. 2073—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-7-92 को प्राप्त हुआ था।

[मं.एन-42012/201/90-आई आर (डी यू) (भाग)]
बी. बी. बी. उष्णी, डेस्क अधिकारी

New Delhi, the 13th July, 1992

S.O. 2073.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.B.M.B. Slapper (H.P.) and their workmen, which was received by the Central Government on 6-7-92.

[No. L-42012/201/90-IR(DU)(Pt.)]
K. V. B. UNNY, Desk Officer.

ANNEXURE

BEFORE SHRI ARVIND KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

CASE NO. 1.D. 47/91

Hariman Vs. Bhakra Beas Management Board.

For the Workman.—Shri Dhani Ram.

For the Management.—Shri D. L. Sharma.

AWARD :

Central Government vide gazette notification No. L-42012/201/90-I.R.(DU) dated 19th April 1991 issued U/S 10(1)(d) of the I.D. Act 1947, referred the following dispute is this Tribunal for adjudication :

“Whether the action of the Executive Engineer, Slapper Division BBMB Slapper (H.P.) in striking off the name of Shri Hariman son of Shri Bangali Ram from muster roll w.e.f. 1-2-1990 is justified? If not, what relief the workman concerned is entitled to?”

During the course of proceeding the present reference has been settled by the respective parties. Shri S. S. Bedi Executive Engineer Slapper Division has stated that they are already to re-employ the petitioner Hariman as afresh. The management shall give registered notice to the petitioner for joining directing him to join within 15 days as unskilled mazdoor on daily wages and in case he fails to join within the stipulated time he shall forgo his right of re-employment. He has further stated that this settlement shall have no effect in any other case.

Shri Dhani Ram rep. of the workman accepted this offer and has prayed for passing of no dispute award. In view of the statement made by the respective parties the management is directed to re-employ the petitioner afresh by giving him registered notice for clear 15 days on receipt of which he shall join within stipulated time or 15 days as unskilled mazdoor on daily wage basis and if he fails to do so he will forgo his right of re-employment.

The reference is returned to the Ministry accordingly.

Chandigarh.
Camp at Manali.
9-6-92.

ARVIND KUMAR, Presiding Officer.